



20-crappln3106.2024 and 1904.2025

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.3106 OF 2024

1. Sangram s/o. Datta Jadhav
 2. Suresh s/o. Sangram Jadhav
 3. Ramkishan s/o. Mokinda Gutte
- Vs.
- The State of Maharashtra
- ..Applicants
- ..Respondent

AND

CRIMINAL APPLICATION NO.1904 OF 2025

- Pushpa w/o. Sangram Jadhav
- Vs.
- The State of Maharashtra
- ..Applicant
- ..Respondent

Ms.Poonam Bodke – Patil, Advocate for applicants
Mr.P.D.Patil, APP for respondent - State

CORAM : MEHROZ K. PATHAN, J.
DATE : DECEMBER 12, 2025

ORDER :-

The applicants have filed these applications seeking relaxation of condition imposed by learned I/c. Addl. Sessions Judge, Kandhar, while granting regular bail in Crime No.187 of 2023, registered with Malakoli Police Station for the offences punishable under Sections 307, 326-A, 143, 147, 148 and 504 of Indian Penal Code. The condition which is sought to be relaxed is condition no.3, whereby the applicants have been directed not to enter in the vicinity of village Wahad, Tq. Kandhar, Dist. Nanded, till conclusion of the trial.

2. It is submitted by Ms.Bodke, learned counsel for the applicants, that though the said condition is harsh and stringent, still the applicants have complied with the same and there has not been a single incident of violation of the said condition by any of the applicants. It is further submitted that even by going as per the allegations made in the FIR, the applicants have not played any major role in causing grievous injury by throwing acid on the complainant. The applicants are attributed with the role of catch-holding the complainant and the act of throwing acid is attributable to the main accused - Sunil Balaji Kadam. It is submitted that the applicants are agriculturists and have agricultural works to perform for earning their livelihood. She submits that the mother of applicant - Sangram is 75 years of age and therefore, his presence in the village along with his mother is necessary. It is further submitted by learned counsel Ms.Bodke that though the charge sheet is filed in the present crime, however, till date, Charge is not framed by the trial court and that the trial court would take its own time to conclude the trial and therefore, the condition of not entering the village may, therefore, be relaxed.

3. Learned APP was directed to take instructions about compliance of the conditions imposed by learned trial court while

releasing the applicants on bail or violation, if any, committed by the applicants. Learned APP has filed an affidavit-in-reply of the concerned Police Sub-Inspector of Malakoli Police Station, stating that the applicants have not violated any of the conditions imposed against them. The affidavit, however, opposes the prayer for relaxation of the condition on the ground that the offence is of serious nature and the applicants have been attributed with specific role in commission of the offence by assisting the main accused – Sunil, who committed crime of throwing acid on the person of the complainant.

4. I have gone through the allegations in the FIR and the charge sheet filed by the prosecution, which attribute the applicants with the role of catch-holding of the complainant during the quarrel; whereas the main accused – Sunil threw acid on the face of the complainant.

5. The order dated 09.01.2024 below Exh.1 in Bail Application No.248 of 2023, passed by I/c. Addl. Sessions Judge, Kandhar, whereby main accused – Sunil was granted bail, also consist one of such condition of not entering village Wahad, Tq. Kandhar, Dist. Nanded, till conclusion of the trial. Since the main

accused against whom there are serious allegations of throwing acid upon the complainant has already been released on bail and it is informed by learned counsel for the applicant and learned APP that no application for relaxation of condition is filed by accused Sunil, I am inclined to modify the condition of not entering the village, imposed against the present applicants, taking into consideration the nature of allegations against them and also the grounds mentioned in the applications. It would also be proper to refer to the fact that though the charge sheet is filed, Charge has not yet been framed and the trial would take its time to conclude.

6. Hence, the following order:-

The Condition No.(3), imposed vide orders dated 09.01.2024 and 02.02.2024, passed by learned I/c. Addl. Sessions Judge, Kandhar, while releasing the applicants on bail, is hereby modified as under :-

(i) The applicants are permitted to enter village Wahad, Tq. Kandhar, Dist. Nanded. However, they shall report to Malakoli Police Station, Tq. Kandhar, Dist. Nanded, once in every month, i.e. on first day of every month, till conclusion of the trial

- (ii) The applicants shall not threaten the complainant or any other prosecution witnesses.
- (iii) The applications stand disposed of accordingly.

[MEHROZ K. PATHAN, J.]

.....

KBP