



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

**CRIMINAL APPLICATION NO. 2502 OF 2025
IN ABA/923/2024**

USHA GANESH CHAVAN
AND
KAVITA SHIVAJI SHINDE
VERSUS
THE STATE OF MAHARASHTRA

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Shri Syed Parvez Syed Gani, Advocate h/f Shri Bilolikar Upendra
Bapurao, Advocate for the Applicants.
Shri R.S. Wani, APP for the Respondents/State.

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CORAM : ADVAIT M. SETHNA, J.

DATE : 08 August 2025

P. C. :-

1. Heard the learned Advocates for the parties.
2. The learned Advocates for the parties draw the attention of the Court to the order dated 06 August 2025 pursuant to which, the proceedings were kept today for further hearing/consideration.
3. The learned Advocate for the Applicants would submit that this Application is filed for modification of one of the conditions in the order dated 22 July 2024 passed by this Court. The said condition No.(iii) reads thus:-

“(iii) Except for attending the police station and for attending the Court proceedings, the applicants shall not enter the jurisdiction of Naigaon Police Station till the trial is over. They shall not try to contact the prosecution witness and shall not tamper with the prosecution evidence. With these, ABA No.923/2024 stands allowed and disposed of accordingly.”

4. It is submitted by the learned Advocate for the Applicants that the main accused in the FIR i.e. Shivaji Shankarrao Shinde has been enlarged on regular bail by the learned Sessions Court vide order dated 19 August 2024. He would further submit that the charge sheet is filed on 22 August 2024. The learned APP would not dispute this factual position.

5. It is not disputed by the prosecution that the terms and conditions of the order dated 22 July 2024 have not been complied with and/or breached by the Applicants. There are no complaints against these Applicants insofar as the conditions are concerned, which would also include condition No.(iii) imposed by this Court. However, the learned APP would object to the prayer of modification.

6. Having heard the learned Advocates for the parties and considering the facts and circumstances as noted above, it

would be just and proper to appropriately modify the order dated 22 July 2024 by passing the following order:-

ORDER

(a) Condition No.(iii) in paragraph No.6 of the order dated 22 July 2024 stands modified and the portion “*Except for attending the police station and for attending the Court proceedings, the applicants shall not enter the jurisdiction of Naigaon Police Station till the trial is over*” **stands deleted to this extent.** Now, condition No.(iii) shall read as under:-

“(iii) They shall not try to contact the prosecution witness and shall not tamper with the prosecution evidence. With these, ABA No.923/2024 stands allowed and disposed of accordingly.”

(b) The order dated 22 July 2024 is, accordingly, modified and to be read accordingly.

7. **The Criminal Application is disposed of in the above terms.**