

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 2628 OF 2024****IN****CRIMINAL APPEAL NO. 1 OF 2021**

Ahamar Sharafatali Siddiki

... Applicant

Versus

State of Maharashtra and Anr.

... Respondents

.....

Ms. Saima Ansari i/b. Mr. Fakhruddin Khan Advocate for the Applicant.

Mr. Ashok Gawai, APP for the State.

CORAM : SHIVKUMAR DIGE, J.**DATED : 26th FEBRUARY, 2025.****P. C. :**

1. By this application, the applicant is seeking relaxation of bail condition imposed by this Court (Coram:A.S.Gadkari, J.) dated 04.01.2021.

2. Learned counsel for the applicant submits that by order dated 04.01.2021, this Court in paragraph No. 6(iii), has directed that "During the pendency of the appeal, the applicant shall attend Nagothane Police Station, District Raigad on every first Monday of every 3rd Month between 10:00 am and 01:00 pm and shall mark his presency. The applicant thus shall attend Nagothane Police Station 4 times in a year during the pendency of the present Appeal." Learned counsel for the applicant submits that applicant is a resident of Lucknow, Uttar Pradesh and it is

finding him difficult to attend the police station as directed by this Court, hence requested to relax the said condition.

3. Learned APP strongly objected to allow the application on the ground that applicant has been convicted under the Protection of Children from Sexual Offences Act, 2012 (for short “POCSO Act”) Act, if condition is relaxed, applicant may abscond, hence requested to reject the application.

4. Considering the submission of both the learned counsel, the applicant has been convicted by the Trial Court under the POCSO Act, he is citizen of India, it may take time to dispose off the Appeal and I pass following order :

ORDER

(a) Condition No. 6 (iii) of the Order dated 4th January, 2021 is hereby relaxed.

5. Interim Application is disposed of.

(SHIVKUMAR DIGE, J.)