

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL INTERIM APPLICATION NO. 4088 OF 2024
IN
CRIMINAL APPEAL NO. 8 OF 2024

Dayeshwar Hiralal Patil

.... Applicant

Versus

The State of Maharashtra & Anr.

.... Respondents

Mr. Akshay Cusher, Advocate for the Applicant.
Ms. Sangeeta D. Shinde, APP, for the Respondent – State.
Mr. Shambhu Jha a/w Afsar Ansari and Mr. Ashish Pathak, Advocate
for Respondent No.2.
Sanvidhan R. Chaure, PSI, Naigaon Police Station – Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th MAY, 2025.

P.C. :

1. By this application, the Applicant is seeking relaxation of condition imposed by this Court (Coram: M. S. Karnik, J.) vide order dated 7th March, 2024.

2. It is contention of learned counsel for the Applicant that this Court has directed the Applicant not to enter in jurisdiction of Naigaon Police Station. Learned counsel further submitted that in F.I.R. no role is attributed to the Applicant except he is brother of

Accused No.1 and he has abused the informant on cast. Learned counsel further submitted that no condition is imposed on the Accused No.1 not to enter in the area where the victim stays. The Applicant is Government Servant and his family stays in the jurisdiction of Naigaon Police Station. Hence, requested to allow the application.

3. Learned APP and learned counsel for Respondent No.2 strongly objected to relax the condition on the ground that the Applicant has already violated the condition imposed by this Court by entering the said area. Learned APP further submitted that, if Applicant is permitted to enter in the area, he may threaten the first informant and prosecution witnesses. Hence, requested to reject the application.

4. I have heard all learned counsel. Perused documents produced on record.

5. In F.I.R. the main allegations against the Accused No.1 – Sanjay Patil. No condition imposed on the Accused No.1 not to enter in the jurisdiction of Naigaon Police Station. The allegations against the Applicant are that he abused the first informant on cast.

6. Considering these facts, I pass following order:

ORDER.

- i. The condition imposed on the Applicant not to enter in the jurisdiction of Naigaon Police Station, is hereby relaxed.

7. In view of the above, the application stands disposed of.

(SHIVKUMAR DIGE, J.)