

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 4502 OF 2024****IN****BAIL APPLICATION NO. 1737 OF 2023**

Sandip Sopan Pachpind

... Applicant

Versus

State Of Maharashtra

... Respondent

.....

Mr. Shailesh Chavan, Advocate for the Applicant.

Mr. P. P. Malshe, APP for the State.

API – S.N.Yamgar, Talegaon Dabhade Police Station present.

CORAM : SHIVKUMAR DIGE, J.**DATED : 28th JANUARY, 2025.****P.C. :**

1. By this Application Applicant is seeking relaxation of bail condition imposed by this Court (Coram :M.S.Karnik, J.) dated 03.10.2023.

2. Learned counsel for the applicant submits that applicant has been released on bail by this Court. In condition No.7 (f) of the said order it is mentioned that “ Except for attending the trial, the applicant shall not enter the Pune District and shall restrict himself only to Raigad District, after being released on bail, till the trial concludes.” Learned counsel further submitted that applicant was behind bar more than seven years and he has not entered Pune District except attending the Court dates since last

more than one year. Applicant's family resides in Pune. To meet the family applicant needs to go in Pune District. The applicant has cooperated the investigating Officer, yet trial has not been commenced. It may take time to conclude the trial. Hence requested to allow the application.

3. It is contention of learned APP that charges under Sections 302, 243, 147, 148, 149, 395, 120-B of the Indian Penal Code, 1860 and under Sections 3, 4 read with Sections 25 and 27 of the Arms Act read with Sections 3(1)(i), 3(2) and 3(4) of Maharashtra Control of Organised Crime Act, 1999 ("MCOC Act") is applied against the applicant. If condition relaxed, applicant may involved in other offences, hence requested to reject the application.

4. I have heard both the learned counsel. The applicant has not entered in Pune District since last one year. He was behind bar more than seven years. Thereafter, after releasing on bail, he has not entered Pune District. Applicant's family stays in Pune he wants to stay with the family. The applicant has cooperated the Investigating Officer. Considering these facts, I pass following order.

ORDER

(i) The application is allowed.

(ii) Condition Nos. 7(c) and 7(f) of the order dated 03.10.2023 are relaxed.

(iii) Condition No. 7(d) is modified as under:

“The applicant shall attend the Investigating Officer at Khopoli Police Station as and when required by the Investigating Officer.”

(iv) The applicant shall not involved in any crime, if he involved in the crime, it is ground to the prosecution to cancel the said condition.

5. The Interim application is disposed of.

(SHIVKUMAR DIGE, J.)

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