

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 5267 OF 2024  
IN  
CRIMINAL BAIL APPLICATION NO. 819 OF 2024

Santosh @ Amar Prakash Ozarkar ...Applicant

Versus

The State of Maharashtra ...Respondent

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Ms. Sana Raees Khan a/w Ms. Neha Balani, learned Advocate for the Applicant.

Ms. Veera Shinde, learned A.P.P for the State/Respondent.

Ms. Aruna Pai, learned Advocate for the Intervenor/Complainant.

PI Mr. Ramdas Shamrao Thakar attached to Shirgaon-Parandwadi Police Station, Pimpri-Chinchwad, District-Pune is present in the Court.

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CORAM : ASHWIN D. BHOBE, J.

DATE : 30<sup>th</sup> JUNE 2025.

**P.C. :**

1. Heard Ms. Sana Raees Khan, learned Advocate for the Applicant, Ms. Veera Shinde, learned A.P.P. for the State/Respondent and Ms. Aruna Pai, learned Advocate for the Intervenor/Complainant.

2. By the present Application, the Applicant is seeking for the following reliefs :-

“A. That this Hon’ble Court be pleased to relax the clause (iii) of the Operative Part of the bail order dated 30<sup>th</sup> August 2024 on such terms and conditions as this Hon’ble Court may deem fit and proper;

A1. That this Hon'ble Court be pleased to allow the Applicant to enter the territorial jurisdiction of Pune District for the during of at least six months;

A2. That this Hon'ble Court may be pleased to allow the Applicant to enter and reside within the territorial jurisdiction of Mulshi Taluka, Pune District, considering that the offence was registered in Vadgaon Maval and the Applicant is a permanent resident of Mulshi Taluka.”

3. Ms. Sana Raees Khan, learned Advocate for the Applicant submits that the present Application is being moved as the Applicant is diagnosed with a serious heart condition. She submits that the Applicant requires to take ASD device closure treatment and the said surgery cannot be done in Satara, hence, Applicant has to take a treatment at Ruby Hall Clinic, Pune. She relies upon Paragraph No. (10A) of the Application, wherein the following statement is made “... *The procedure for the said treatment as per the recent medical report dated 14<sup>th</sup> June 2025 is 5 days and that he will require follow-up after 10 days for the procedure. ...*” She therefore submits that the condition bearing no. 6(iii) of the order dated 30<sup>th</sup> August 2024, passed in Criminal Bail Application No. 819 of 2024, be relaxed for the period of 15 days, so as to enable the Applicant to avail the said treatment at Ruby Hall Clinic, Pune.

4. Ms. Veera Shinde, learned A.P.P for the State/Respondent and Ms. Aruna Pai, learned Advocate for the Intervenor/Complainant have opposed the said prayer on the ground that the offence charged against the Applicant is a serious offence and that the bail conditions in the order dated 30<sup>th</sup> August 2024 were consciously imposed, considering the nature of offence and the conduct of

Applicant. However, Ms. Veera Shinde, learned A.P.P. and Ms. Aruna Pai, learned Advocate fairly state that if the Applicant wants to enter the District of Pune for the sole purpose of treatment, i.e., for the period of 15 days, then they do not object for the same. They however submit that the Applicant should not ask for any extension of time and should immediately leave the District of Pune after expiry of 15 days. They suggest that the period of 15 days can commence from 2<sup>nd</sup> July 2025 upto 17<sup>th</sup> July 2025.

5. Ms. Sana Raees Khan, learned Advocate states if the said condition bearing no. 6(iii) of the order dated 30<sup>th</sup> August 2024 is relaxed and the Applicant is permitted to enter the District of Pune from 2<sup>nd</sup> July 2025 upto 17<sup>th</sup> July 2025, then she has instructions from the Applicant to make a statement that the Applicant shall leave the District of Pune before 6.00 p.m. on 17<sup>th</sup> July 2025. She again on instructions from the Applicant states that Applicant would not apply for extension beyond 17<sup>th</sup> July 2025. Statements made by Ms. Sana Raees Khan, learned Advocate are accepted.

6. In view of the above, the following order is passed :-

- a. Bail condition bearing no. 6(iii) of the order dated 30<sup>th</sup> August 2024, passed in Criminal Bail Application No. 819 of 2024, is relaxed for a limited period of 15 days commencing from 2<sup>nd</sup> July 2025 upto 6.00 p.m. of 17<sup>th</sup> July 2025.
- b. Applicant is permitted to enter the District of Pune for the purpose of availing treatment at Ruby Hall Clinic.

- c. Applicant shall not indulge himself in any crime during the said period.
  - d. Applicant shall mark his presence before the In-charge of Shirgaon-Parandwadi Police Station, Pimpri-Chinchwad, District-Pune, before leaving the District of Pune on 17<sup>th</sup> July 2025.
7. It is made clear that in the event the Applicant is found in the jurisdiction of District of Pune beyond 6.00 p.m. on 17<sup>th</sup> July 2025, the same shall be treated as violation of the bail condition by the Applicant.
8. All other conditions imposed in the order dated 30<sup>th</sup> August 2024 passed in Criminal Bail Application No. 819 of 2024 shall continue to operate.
9. In view of the above, Interim Application No. 5267 of 2024 stands disposed of.

[ASHWIN D. BHOBE, J.]

GITALAXMI  
KRISHNA  
KOTAWADEKAR

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by GITALAXMI  
KRISHNA  
KOTAWADEKAR  
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