

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.249 OF 2025

IN

BAIL APPLICATION NO.1237 OF 2024

Advay Prashant Hiray

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Abad Ponda Senior Advocate a/w Mr. Anilkumar Patil a/w Mr. Sachin M. Bhavar a/w Mr. Digvijay A. Patil, for the Applicant.

Ms. R.S. Tendulkar, APP for the Respondent – State.

Deputy Superintendent of Police, Economic Offence Wing, Nashik Rural, District – Nashik.

CORAM: MADHAV J. JAMDAR, J.

DATED: 12 FEBRUARY 2025

P.C.:

1. Heard Mr. Ponda, learned Senior Counsel appearing for the Applicant and Ms. Tendulkar, learned APP appearing for the Respondent- State.

2. The Interim Application is filed for Modification / Relaxation of Bail condition. A learned Single Judge of this Court (**Coram: N.R.Borkar, J.**) has passed the following Order on 24th January 2025 :-

“1. This Court [Coram : Madhav J. Jamdar, J.] by order dated 12.08.2024 while granting bail to the applicant has imposed certain conditions.

2. By this application modification of one of the conditions is sought. However, as the modification is in the nature of substitution of the said condition with new condition, it would be appropriate if the present application is heard by the same Court. The Registry shall take steps to list it before the same Court.”

3. Pursuant to said Order dated 24th January 2025 this Interim Application is placed before this Court.

4. Mr. Ponda, learned Senior Counsel state that modification is required in condition No.20(c) and 20(g) of the Order dated 12th August 2024 passed by this Court in Bail Application No.1237 of 2024.

5. He states that the Police Station at Ramzanpura Police Station, District – Nashik is at a distance of above 100 KM from Nashik and therefore, the same is of very much inconvenience to the Applicant. He submits that the Applicant is ready and willing to report to Deputy Superintendent of Police, Economic Offence Wing, Nashik Raod, District – Nashik.

6. He further submits that the passport is required for renewal as the same has expired on 29th March 2021. Ms. Tendulkar, learned APP states that as far as passport is concerned after renewal of passport the same be again surrendered to the investigating officer. Mr. Ponda, learned Senior Counsel appearing for the Applicant, after taking instructions from the Applicant, states that the passport will be surrendered to the investigating officer within a period of one week after renewal and receipt of the same

7. Accordingly, the following Order is passed :-

1. The Clause No (c) of para 20 of Order dated 12th August 2024 passed in Bail Application No.1237 of 2024 is modified as follows :-

“(c). The Applicant shall report to the Deputy Superintendent of Police, Economic Offence Wing, Nashik Road, District – Nashik. on every 1st and 3rd Monday between 11.00 a.m. and 2.00 p.m. until the conclusion of the trial.”

2. The Clause (g) of said para 20 is modified as follows :-

“(g). The passport which has been deposited with the investigating officer be handed over to the Applicant for the purpose of renewal as the passport has expired on 29th March 2021. The Applicant shall surrender the passport after renewal to the investigating officer within a period of seven days from the receipt of the same from the appropriate authorities.”

8. Accordingly, the Interim Application is disposed of in above terms.

[MADHAV J. JAMDAR, J.]