

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.980 OF 2025

Sonu Sachinder Chaudhary @ Damallu .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Rehan Tamboli a/w. Mr. Santosh Deshpande, Advocates for Applicant.
- Ms. Rajeshree V. Newton, APP for Respondent.
- WAPI – Pooja Chavan and PSI – Bajrang Desai, Samta Nagar Police Station.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 17, 2025

P.C.:

1. Heard Mr. Tamboli, learned Advocate for Applicant and Ms. Newton, learned APP for Respondent.

2. Interim Application seeks modification of Bail condition No. (ii) in the order dated 10.10.2024. The Applicant despite been having granted bail is still languishing in prison and has not been released on bail as he is unable to procure the surety amount of Rs.30,000/- alongwith one or two sureties in the like amount as directed by the Court in the aforesaid order.

3. Present Application is filed before the Court on 06.03.2025 and in view of the said bail condition having not been complied with the Application is taken up for hearing immediately.

4. In view of decision of the Supreme Court in the case of *In Re Policy strategy for grant of Bail*¹, the entire purpose of bail order will stand frustrated if Applicant is unable to secure his release.

5. Mr. Tamboli has taken me through the grounds mentioned in the Application and it is *prima facie* seen that Applicant is having difficulty to arrange for the bail amount, as also furnish desired sureties. I am of the opinion that if Applicant is released on bail, he will be in a better position to arrange the two sureties as directed by the Court.

6. After hearing Ms. Newton, learned APP condition No.(ii) in order dated 10.10.2024 stands modified and the bail amount of Rs.30,000/- stands substituted with the amount of Rs.10,000/- as requested by the Advocate.

7. However at the request of Mr. Tamboli, Applicant is permitted to provide provisional cash security of Rs.10,000/- for his release from prison, but before his release he shall file an undertaking that after his release from prison, he shall arrange for the two sureties as directed by the Court within a period of six weeks thereafter from the date of his release and submit the same. He shall accordingly file the two sureties as directed herein within six weeks of his release from prison.

¹ SMWP (Criminal) No.4 of 2021 decided on 31.01.2023.

- 8.** Rest of the order dated 10.10.2024 shall stand as it is.
- 9.** Present order shall be read with order dated 10.10.2024 since the previous order was passed by the earlier regular Court and not by this Court.
- 10.** In view of the aforesaid terms, Interim Application is allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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