

Ajay

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1154 OF 2025
IN
CRIMINAL BAIL APPLICATION NO. 831 OF 2025**

Ajay Ajit Peter Kerkar	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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- Mr. Dinesh D. Tiwari a/w. Pulkeshi Gaikwad, Parveen Khan and Ms. Kanishka Sharma, Advocates i/by Dinesh D. Tiwari and Associates for Applicant.
 - Mr. Sukanta A. Karmakar, APP for Respondent – State.
 - Mr. Rajendra Shinde, API – EOW, Mumbai present.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 16, 2025.

P.C.:

1. Heard Mr. Tiwari, learned Advocate for Applicant and Mr. Karmakar, learned APP for Respondent – State.

2. Present Interim Application seeks modification of the conditions in the bail order dated 07.03.2025 passed by this Court. The said order is appended at Exhibit “A” – page No.9 of the Application. Mr. Tiwari has persuaded the Court that in so far as condition No.(i) is concerned, clarification may be given by the Court that Applicant will be permitted to furnish the same sureties which the Applicant has furnished in the other matters wherein the Applicant has been enlarged on bail.

3. This Court in Criminal Applications filed by the other co-accused persons namely Anil O. Khandelwal and Naresh Tikamchand Jain has considered this issue and has allowed the accused person to furnish the same sureties. The reason for this is the stigmatization which is attached and associated with persons which makes it very difficult for them to convince persons for standing as sureties. It is *prima facie* seen that Applicant before me is indicted in several cases wherein he has been enlarged on bail by the Supreme Court, by this Court as also by the Trial Court in some cases.

4. In that view of the matter, the said clarification is given. Applicant is permitted to file the same sureties in the like amount of Rs.25,000/- as given in condition No.(i) of the order dated 07.03.2025.

5. Next condition No.(v) is requested to be modified by Mr. Tiwari. He would submit that Applicant has to attend legal proceedings outside of Maharashtra in various Courts / States as also he has to travel outside Maharashtra for medical reasons and other reasons. Hence, he would submit that the said condition is onerous if the Applicant is required to repeatedly approach the Trial Court at short notice for seeking permission to travel outside Maharashtra as the Court procedure is cumbersome. The said condition No.(v) stands deleted and modified by the following condition:-

“(v) Applicant shall not leave India without leave and

permission of the Trial Court. If he has to travel outside Maharashtra he shall inform the details of his travel, itinerary, place of stay and all such other details to the concerned Investigating Officer in advance. If in case he has to travel in an exigency and emergency, he shall do the same by informing all such details to the concerned Investigating Officer within a period of 4 days from his date of his travel outside Maharashtra.

- 6.** It is clarified that Applicant shall not leave India without the permission of the Trial Court.
- 7.** This order shall be read alongwith order dated 07.03.2025.
- 8.** With the above clarifications, Interim Application No.1154 of 2025 stands allowed and disposed.

[MILIND N. JADHAV, J.]

Ajay

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by AJAY
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