

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1909 OF 2025
IN
CRIMINAL APPEAL NO. 1069 OF 2024

Vijaya S. Deshmukh ...Applicant
V/s.
The State of Maharashtra & Anr. ...Respondents.

WITH
INTERIM APPLICATION NO. 1309 OF 2025
IN
CRIMINAL APPEAL NO. 1069 OF 2024

The State of Maharashtra ...Applicant
V/s.
Vijaya S. Deshmukh ...Respondent.

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Mr. Parmeshwar A. Shendge (through VC) for the Applicant in IA/1909/25 and for the Respondent in IA/1309/25.
Mrs. Sangeeta D. Shinde, APP for the for the Applicant/State in IA/1309/25 and for the Respondent/State in IA/1909/25.
Mr. Abhishek Karnik, Appointed Advocate for Respondent No.2.

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CORAM : N.R. BORKAR, J.
DATE : 20.08.2025.

P.C. :

1. This Court by order dated 23rd October 2024 granted bail to the original appellant in Criminal Appeal No. 1069 of 2024, on the following condition:

“vii. After being released on bail, Appellant No.2 shall not enter the jurisdiction of Dehu Road Police Station till conclusion of the trial.”

2. According to the State the original appellant has breached

the above condition and has thus filed Interim Application No. 1309 of 2025 for cancellation of bail. The original appellant, whereas, has filed the application No. 1909 of 2025 seeking relaxation of the condition in question.

3. I have heard the learned counsel for the original appellant, the learned APP for the State and learned appointed advocate for respondent/complainant.

4. Learned APP submits that the original appellant entered into the jurisdiction of Dehu Road Police Station on 15.12.2024 and thereby committed breach of the condition in question. Learned APP has drawn my attention to statement of the witnesses annexed to the application in support of submission.

5. On the other hand, learned counsel for the original appellant submits that there was no intent on the part of original appellant to breach the condition in question. It is submitted that the same was done due to medical emergency. In support of his submissions, learned counsel has placed on record medical case papers. It is submitted that considering the medical condition of the original appellant, condition in question be relaxed.

6. If there were any compelling circumstances, then the original appellant ought to have sought the permission of this Court before entering into the jurisdiction of Dehu Road Police Station. In view breach of condition in question, I would have cancelled the bail.

However, I am informed that trial is at fag end and thus I am refraining from doing so. As the appellant has breached the condition and therefore I am not inclined to consider her prayer for relaxation of the condition in question.

7. Both the Applications are rejected.

[N.R.BORKAR, J.]