

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2057 OF 2025
IN
BAIL APPLICATION NO. 2046 OF 2023**

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... Applicant

vs.

The State Of Maharashtra

... Respondent

Mr. Onkar Chaudhari i/b Shailesh Kharat for the Applicant.

Mr. A. S. Gawai, APP for the State.

Mr. Sachin Karande, API, Chaturshringi Police Station, Present.

CORAM : GAURI GODSE, J.

DATED : 5th AUGUST 2025

ORDER:

1. This application is filed by the accused to relax condition no. (iv) imposed while granting bail vide order dated 15th December 2023.

2. Learned counsel for the applicant relies upon the averments made in paragraph 6 of the application. He submits that his mother aged 75 years and his minor children and the applicant's wife are dependent upon the applicant. He therefore submits that the

applicant is not in a proper financial condition to maintain two residences. He submits that the applicant being the only adult earning member of the family, the applicant and his family is facing hardships due to the condition. He submits that there are no antecedents against the applicant and he would abide by all the other conditions imposed while granting bail. Learned counsel for the applicant further submits that he would not enter the residence of the victim and the area surrounding to residence of the victim. However, the applicant be permitted to enter the jurisdiction of Aundh as the applicant's family and the applicant's residence is in the jurisdiction of Aundh.

3. Learned APP on instructions submits that there are no criminal antecedents against the applicant. However, he be directed to attend the concerned police station as directed by order dated 15th December 2023.

4. Considering the submissions made in paragraphs 6 and 7 of the application and considering that there are no criminal antecedents against the applicant, the condition no. (iv) can be relaxed. Though charge is framed, the trial has not proceeded except for examining two witnesses.

5. Hence, in view of the aforesaid facts and circumstances

condition no. (iv) of the order dated 15th December 2023 is modified as under:

“The applicant shall not enter the victim’s residence and the area nearby the residence of the victim, which is in the jurisdiction of Aundh. However, the applicant is permitted to enter the jurisdiction of Aundh for the purpose of residing at his residence alongwith his family.”

6. The remaining conditions imposed vide order dated 15th December 2023 shall continue to operate and shall be binding upon the applicant.

7. It is clarified that the applicant shall attend all the dates in the trial Court unless exempted by the Court by a written order.

8. It is further clarified that if any condition is breached by the applicant, the prosecution would be entitled to apply for cancellation of bail.

9. Interim Application is disposed of in the aforesaid terms.

(GAURI GODSE, J.)