

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

**INTERIM APPLICATION NO.3031 OF 2025
IN
CRIMINAL APPEAL NO.1029 OF 2024**

Mohammad Irfan Daulat Khan @

Maulana Irfan Khan (Nadavi)

.....Applicant

Versus

The State of Maharashtra

.....Respondent

Ms. Payoshi Roy, Advocate fa/w. Anush Shetty, Palak Dubey for the Applicant.

Ms. Geeta P. Mulekar, APP for the Respondent-State.

API Yogita Jadhav, ATS, Nasik is present in the Court.

**CORAM : SARANG V. KOTWAL &
S.M. MODAK, JJ.**

DATE : 25th AUGUST, 2025

P.C. :

1. This is an application for modification of one of the conditions imposed on the Applicant while granting him bail vide order dated 28.4.2025 passed in Criminal Appeal No.1029/2024. Condition No.II directed the Applicant to report to the ATS, Kalachowky police station, Mumbai on every alternate Saturday between 4.00 p.m. to 5.00 p.m.. Now this Application is filed for modification of this particular condition.

2. Heard Ms. Payoshi Roy, learned counsel for the Applicant and Ms. Geeta Mulekar, learned APP for the Respondent-State.

3. It is the case of the Applicant that he is suffering from degenerative changes in the spine with acute lumbago. The X-ray of the Applicant showed loss of cervical lordosis and narrowing in disc spacing thus creating pressure on the nerves and consequently causing pain in performing day to day activities. He has been experiencing pain and finding it difficult to perform the basic functions of sitting, standing, bending etc.. Therefore, it is difficult for him to travel from Malegaon to Mumbai every fortnight.

4. Learned APP, on instructions of the concerned Officer attached to ATS, Nashik, has no objection for modifying the said condition provided the Applicant is directed to report to the office of ATS at Nashik instead of Mumbai every alternate Saturday. Learned APP further states that the officer present in the Court today has taken instructions from the Investigating Officer of this offence. Both the learned counsel

i.e. the learned counsel for the Applicant as well as the learned APP state that the trial is going on in Nashik.

5. In this background, we are inclined to modify that condition. Hence, the following order :

:: O R D E R ::

- i. The Application is allowed.
- ii. The Applicant is directed to report to the office of ATS, Nashik every alternate Saturday between 4.00 p.m. to 5.00 p.m.; instead of reporting to ATS, Kalachowky, Mumbai.
- iii. The rest of the conditions imposed by the operative part of the order dated 28.4.2025 passed in Criminal Appeal No.1029/2024 are maintained as they are.
- iv. Interim Application is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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