

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3771 OF 2025
IN
INTERIM APPLICATION NO. 5313 OF 2024
IN
CRIMINAL APPEAL NO. 654 OF 2021**

Asha Uttam Taware ... Applicant/Appellant
vs.
The State of Maharashtra ... Respondent

Ms. Savvy Kolhekar, i/b. Mr. Aniket Vagal for applicant/appellant.

Ms. Sangita Phad, APP for respondent-State.

**CORAM : MANISH PITALE &
MANJUSHA DESHPANDE, JJ**

DATE : 12th NOVEMBER, 2025

P.C. :

. By this application, the applicant seeks part-modification of condition No.(ii) imposed by this Court, while allowing her bail application, as per order dated 05.03.2025. The operative portion of the said order reads as follows:

“6.1) Hence, the following Order:-

- (i) During the pendency of the Appeal, the substantive sentence imposed upon the Applicant is suspended.
- (ii) Applicant be released on bail in Sessions Case No. 492 of 2016, on her furnishing P.R. bond in the sum of Rs.25,000/- with one or two local sureties in the like amount.
- (iii) After her release from jail, the Applicant shall attend the trial Court i.e. the Court of Addl. Sessions Judge, Pune, on the first Monday of every month between 11:00 a.m. and 1:00 p.m., to mark her presence. If the first Monday of the said month falls on a

holiday and/or non Court working day, the Applicant shall mark her presence immediately on the next working day.

- (iv) Before her actual release from jail, the Applicant shall furnish her address where she proposes to reside after her release from jail, to the Chandannagar Police Station, Pune and also to the trial Court.
- (v) In case of two consecutive defaults in reporting to the trial Court, it shall attract the provisions of Section 439(2) of Cr.P.C. i.e. for cancellation of bail.”

2. The learned counsel for the applicant (original appellant) submits that if the condition No.(ii) is modified and the applicant is permitted to furnish cash bail, in lieu of the surety for a period of 12 weeks, she would be able to arrange for local sureties for complying with the said condition. It is submitted that the applicant shall also abide by any further condition that this Court may consider imposing.

3. The learned APP has opposed the present application and submitted that there is possibility of the applicant absconding, once she is released.

4. We find that the aforesaid apprehension was addressed by this Court in the order dated 05.03.2025, by imposing condition No.(iii), requiring the applicant to attend the Court of Additional Sessions Judge, Pune on first Monday of every month to mark her presence.

5. The learned APP submitted that since the proceeding has already terminated before the Sessions Court, it would be appropriate that a further condition is imposed upon the applicant, even if this application is to be allowed. It is further submitted that

even if indulgence is to be shown, it ought to be made clear that no further time shall be granted.

6. Considering the rival submissions, we are inclined to allow this application, subject to further conditions being imposed. This is only with a view to facilitate the petitioner in arranging local sureties and abide by condition No.(ii) imposed in the order dated 05.03.2025, while granting bail to the applicant.

7. In view of the above, the application is partly allowed and the applicant is permitted to arrange cash bail surety for an amount of ₹ 25,000/- in lieu of local sureties, as directed in the order dated 05.03.2025, for a period of 12 weeks. It is made clear that no extension of time shall be granted. The local sureties shall be furnished to the satisfaction of the Trial Court. It is further directed that the applicant shall report to Chandan Nagar Police Station on every Monday between 10:00 a.m. and 11:00 a.m. in the coming period of 12 weeks or till the time the applicant is able to arrange for local sureties, whichever is earlier.

8. It is further made clear that if the applicant fails to arrange for local sureties for abiding by condition No.(ii) imposed in the order dated 05.03.2025, in the period of 12 weeks, granted by this Court, she shall surrender before Chandan Nagar Police Station, to be taken into custody.

(MANJUSHA DESHPANDE, J.)

(MANISH PITALE, J.)