

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPP) NO. 1597 OF 2025
IN
CRIMINAL APPLICATION (BA) NO. 975 OF 2023

Bhupesh S/o Mohanlal Kanojiya

Vs.

State of Maharashtra, Through PSO Desaijanj (Wadsa), Gadchiroli

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.L. Vairagade, Advocate for applicant
Shri Aditya Gohokar, APP for respondent/State

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 12.08.2025

1. By this application the applicant is seeking relaxation and modification of the condition.
2. Heard learned Counsel for the applicant. Perused the order passed by this Court. The condition was imposed by this Court with intent to protect the witnesses. The order passed by this Court in paragraph No. 6 specifically states that specific role is attributed to the accused. The statement recorded under Section 164 of the Criminal Procedure Code would show that it is silent about the role played by the accused. It is further observed that the apprehension putforth by the learned APP as to the tampering of the witnesses and, therefore, the condition was imposed. The victim is yet to be

examined before the Court. In view of that at this stage, it would not be appropriate to relax or modify the condition.

3. At the most liberty can be granted to the present applicant to move to this Court after evidence of the victim is recorded. In view of that the application deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

Application is rejected.

(URMILA JOSHI-PHALKE, J.)

R.S. Sahare