IN THE HIGH COURT OF JUDICATURE AT BOMBAY, NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.604 OF 2025

Vinit Ashok Harwani
Age – 32 years, Occupation – Service,
R/o. SSD Park, Near Chintamani Classes,
Shankar Nagar Square,
Amravati

...PETITIONER

VERSUS

State of Maharashtra,
through Police Station Officer,
Police Station Jaripatka,
Nagpur

...RESPONDENT

Mr. G.I. Dipwani, Advocate for the petitioner.
Mrs. M.A. Barabde, APP for the State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : AUGUST 07, 2025.

ORAL JUDGMENT :

RULE. Rule is made returnable forthwith.

2. Heard finally with the consent of the learned Counsel for both the parties.

3. By this writ petition, the petitioner has challenged the order dated 09/07/2025 passed by the Additional Sessions Judge-5, Nagpur in

Criminal Bail Application No.1401/2025 imposing the condition that applicant No.1 shall attend the police station Jaripatka in between 10.00 a.m. to 1.00 p.m. on every Monday, Wednesday and Friday till completion of the trial.

4. Learned Counsel for the petitioner submitted that the petitioner is facing charges in connection with Crime No.324/2025 registered at police station Jaripatka, Nagpur for the offence punishable under Sections 115(2), 3(5), 351(2), 352 and 85 of the Bharatiya Nyaya Sanhita, 2023. As far as his attendance is concerned, which is not required as the allegation against him is on the basis of the report lodged by the informant on an allegation that she was ill-treated and treated with cruelty by the present petitioner who is her husband. He submitted that, as far as the attendance is concerned is not required as nothing is to be recovered from him. Therefore, the said condition requires to be cancelled.

5. Learned APP strongly opposed the petition and submitted that the permission is required as investigation is still in progress. Hence, the petition deserves to be dismissed.

6. I have heard learned Counsel for both the sides and on perusal of the impugned order as well as the allegation levelled against

the present petitioner admittedly, the allegations are to the extent of ill-treatment at the hands of the present petitioner who is her husband. As far as attendance is concerned one day's attendance will suffice the purpose as far as the investigation is concerned. In view of that, the said condition requires to be modified. Accordingly, I proceed to pass the following order:

> (i) The condition imposed by the Additional Sessions Judge-5, Nagpur vide condition No.3 that “applicant No.1 shall attend the police station Jaripatka in between 10.00 a.m. to 1.00 p.m. on every Monday, Wednesday and Friday till completion of the trial” be modified as “applicant No.1 shall attend the police station Jaripatka in between 10.00 a.m. to 1.00 p.m. on every Monday, till filing of the charge sheet.”

7. The writ petition stands disposed of. Rule made absolute in the aforesaid terms.

(URMILA JOSHI-PHALKE, J.)

*Divya