



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

CRIMINAL APPLICATION (APPA) NO. 627/2025

IN

CRIMINAL APPEAL NO.595/2024

Mohammad Yasin Nuru Islam Sheikh Vs. State of Maharashtra
Through Police Station Officer, Police Station Ghuggus

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.B. Taywade, Advocate for Applicant
Mrs. S.N. Thakur, APP for Respondent

CORAM: NIVEDITA P. MEHTA, J.

DATED : 11th DECEMBER, 2025

1. The applicant has preferred the present application seeking relaxation of condition No. (d) imposed by this Court in Criminal Application (APPA) No. 1053/2024 in Criminal Appeal No. 595/2024, pertaining to the suspension of sentence.

2. Learned counsel for the applicant submits that the applicant is a resident of the State of Jharkhand and earns his livelihood as a labourer. Owing to his economic condition and the considerable distance involved, it is difficult for him to comply with the requirement of marking his presence before the Court of the learned Additional Sessions Judge, Chandrapur on the first day of every month. He submits that the applicant is willing and ready to attend the said Court once in every three months, and accordingly prays for relaxation of the condition.

3. The learned Additional Public Prosecutor opposes the application, contending that since the applicant resides outside the State of Maharashtra, the possibility of his absconding cannot be ruled out, and therefore the existing condition should not be relaxed.

4. Having considered the rival submissions, the nature of the condition imposed, and the practical difficulties expressed by the applicant, this Court is of the view that the request for relaxation is reasonable and does not prejudice the interest of justice. The purpose of the condition can be effectively served even if the applicant is directed to attend the concerned Court at longer intervals.

5. Accordingly, the application is allowed. Condition No. (d) imposed by this Court in order dated 21.01.2025 in Criminal Application (APPA) No. 1053/2024 in Criminal Appeal No. 595/2024 is relaxed, and the applicant is permitted to attend the Court of the learned Additional Sessions Judge, Chandrapur once in every three months instead of the earlier requirement.

6. The application stands disposed of.

(NIVEDITA P. MEHTA, J.)