



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

CRIMINAL APPLICATION NO.381 OF 2026 IN
CRIMINAL APPLICATION NO. 730 OF 2025(D)

Vijay Shalikram Rehapade

..vs..

State of Maharashtra and anr.

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

Court's or Judge's orders

Shri S.V. Sirpurkar, Advocate for the applicant.

Shri A.R. Chutke, APP for the State.

Shri A.V. Deshmukh, Advocate for the non-applicant no.2
(victim).

CORAM: M.M. NERLIKAR, J.

DATE : 22.04.2026.

Heard.

2. By way of this application, the applicant is seeking relaxation of condition no.(c) imposed by this Court vide order dated 26.08.2025 while releasing the applicant on bail. The condition (c) of the said order reads as under :

“c] The applicant shall not enter into the District Bhandara except attending the proceedings before the trial Court.”

3. Learned Counsel for the applicant submits that at present the victim and her father are not residing in Bhandara District as the victim's father is a Police Inspector and now transferred to Mumbai, where even remotely the applicant cannot contact the victim or her father. Therefore, no purpose would be served by continuing the aforesaid condition, the same may be relaxed.

4. On the other hand, learned APP and the learned

Counsel appearing for the victim vehemently opposed the application on the ground that there are other witnesses in Bhandara and therefore, there is every possibility of tampering of evidence. Merely the victim and her parents have shifted to Mumbai is not itself sufficient to relax the said condition and therefore, the application deserves to be rejected.

5. I have considered the rival submissions and perused the record. It appears that the victim and her parents have shifted to Mumbai to which the learned APP and learned Counsel for the victim have conceded. This Court vide order dated 26.08.2025 has also put a condition that “*the applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case*” and therefore, this Court has already taken care of tampering of evidence. In such circumstances, I am inclined to relax the condition as no fruitful purpose would be served by continuing the same. Hence the following order :

- (a) The Application is allowed and disposed of.
- (b) Condition No.(c) of the order dated 26.08.2025 is hereby relaxed.

6. Needless to mention that all the conditions remain as it is.

(M.M. NERLIKAR, J.)