

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION NO. 2 of 2024
(MODIFICATION/DELETION OF CONDITION)
In R/CRIMINAL MISC.APPLICATION NO. 8354 of 2023

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SALIMSAID S/O AHMADSAID YUNUSKHAN PATHAN
Versus
STATE OF GUJARAT

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Appearance:

MR SALIM M SAIYED(5172) for the PETITIONER(s) No. 1
MS JIRGA JHAVERI, APP for the RESPONDENT(s) No. 1

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CORAM:**HONOURABLE MS. JUSTICE S.V. PINTO**

Date : 15/04/2024
IA ORDER

1. Rule. Learned APP Ms. Jirga Jhaveri waives service of notice of rule for the respondent – State.

2. By way of this application, the applicant has prayed to modify condition No.6(g) imposed upon the applicant by this Court while releasing him on regular bail vide order dated 22.09.2023 passed in Criminal Misc. Application No. 8354 of 2023, as under:

“[g] not to enter into Ahmedabad District till trial is over except for marking his presence before concerned Police Station and for attending Court”.

3. Learned advocate Mr. Salim Saiyed for the applicant has submitted that the applicant is residing in Shahpur, Ahmedabad City whereas the victim is residing in the territory of Vejalpur Police Station and the applicant is resident of

Ahmedabad City by birth and due to the condition, he is not in position to earn his livelihood. That no condition imposed by this Court has been breached by the applicant till today and the applicant undertakes not to enter into the territory of Vejalpur Police Station where the complainant is resides. Learned advocate urged this Court that the applicant may be permitted to enter into Ahmedabad City.

5. Heard learned advocates for the respective parties.

6. Having considered the submissions made by the learned advocate for the applicant and considering the averments made in the application, present application requires consideration and accordingly is partly allowed. The condition No.6(g) imposed upon the applicant by this Court while releasing him on regular bail vide order dated 22.09.2023 passed in Criminal Misc. Application No. 8354 of 2023 is hereby modified as under:

“[g] not to enter into territory of Vejalpur Police Station till trial is over”.

7. Rule made absolute to the aforesaid extent. Direct service is permitted.

(S. V. PINTO,J)

F.S. KAZI.....