

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2023
(Arising out of SLP (Cr1.) No.8373/2023)

GOPINATH

Appellant (s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

O R D E R

Leave granted.

2. This appeal is filed challenging the order dated 22.06.2023 in Bail Application No.863 of 2023 passed by the High Court of Judicature at Bombay, Bench at Aurangabad. The Appellant was arrested on 27.03.2023 in connection with Crime No.169 of 2023 registered with Karjat Police Station, District Ahmednagar, Maharashtra for the offences punishable under Sections 307, 326, 324, 323, 341, 143, 147, 148, 149, 506, 109, 114, 329 of the Indian Penal Code, 1860 (I.P.C.). The High Court *vide* impugned order allowed the Bail Application of the appellant, however, with a condition to deposit ₹1,00,000/- with the Trial Court as compensation to the victim. The appellant is aggrieved by the said condition and hence, preferred the captioned Criminal Appeal.

3. Heard the learned counsel on both the sides.

4. On 21.07.2023, this Court had passed an order staying the aforesaid direction to deposit the amount of ₹1,00,000/- with the Trial Court as compensation to the victim. This Court, time and again, deprecated the practice of putting such conditions while granting bail.

5. In that view of the matter, the order of this Court dated 21.07.2023 is made absolute and the instant Criminal Appeal stands disposed of by setting aside the condition for deposit of ₹1,00,000/- .

6. Pending application(s), if any, shall stand disposed of.

....., J.
(C.T. RAVIKUMAR)

....., J.
(SUDHANSHU DHULIA)

NEW DELHI;
4TH SEPTEMBER, 2023.

ITEM NO.9

COURT NO.13

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 8373/2023

(Arising out of impugned final judgment and order dated 22-06-2023 in BA No. 863/2023 passed by the High Court Of Judicature At Bombay At Aurangabad)

GOPINATH

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

(IA No. 130573/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 130575/2023 - EXEMPTION FROM FILING O.T.)

Date : 04-09-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE C.T. RAVIKUMAR
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Yatiin M. Jagtap, Adv.
Mr. Sunil Kumar Sharma, AOR

For Respondent(s) Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The Criminal Appeal is disposed of in terms of the Signed Order.
3. Pending application(s), if any, shall stand disposed of.

(VIJAY KUMAR)
COURT MASTER (SH)

(MATHEW ABRAHAM)
COURT MASTER (NSH)

(Signed Order is placed on the file)