IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL REVISION APPLICATION (MODIFICATION OF CONDITION/ORDER) NO. 172 of 2025

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IQBAL ISMAIL SHAIKH
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR DEEP D VYAS(3869) for the Applicant(s) No. 1
MR HK PATEL, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**

Date : 28/04/2025

ORAL ORDER

[1.0] By way of the present application, the applicant is seeking modification / deletion of condition No.3(a) imposed vide order dated 01.01.2025 passed below Exh.5 in Criminal Appeal No.1/2025 by the learned 4th Additional District and Sessions Judge, Jamnagar, whereby condition is imposed upon the applicant to furnish bail bond and surety of Rs.150 lakhs, while suspending the sentence imposed upon the applicant in connection with Criminal Case No.266 of 2017.

[2.0] Having heard the learned advocates for the respective parties and going through the order dated 01.01.2025 passed below Exh.5 in Criminal Appeal No.1/2025 by the learned 4th Additional District and Sessions Judge, Jamnagar, it clearly appears that the applicant is a senior citizen aged 72 years and is suffering from Parkinson since the year 2011 and is under further physical ailments.

[3.0] Considering the aforesaid fact, the learned Sessions Judge has been pleased to not impose the condition upon the applicant to pay 20% amount of compensation however, has directed to furnish bail

bond in the sume of Rs.150 lakhs with one surety of like amount before the learned trial Court.

[4.0] In view of aforesaid fact and in view of the decision of the Hon'ble Supreme Court in the case of **Jamboo Bhandari vs. Madhya Pradesh State Industrial Development Corporation Limited and Ors.** reported in **(2023) 10 SCC 446,** issue NOTICE for final disposal making it returnable on **19.06.2025**.

Learned APP waives service of Notice for and on behalf of respondent No.1 – State of Gujarat.

Till then, condition No.3(a) of the order dated 01.01.2025 imposed vide order dated 01.01.2025 passed below Exh.5 in Criminal Appeal No.1/2025 by the learned 4th Additional District and Sessions Judge, Jamnagar is kept under abeyance.

Direct service is permitted.

(HASMUKH D. SUTHAR, J.)

Ajay

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AJAY CHANDRAN MENON(HC00939), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 28/04/2025 17:46:03