

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**WRIT PETITION NO.1990 OF 2026**

Omprakash S/o. Devandas Khanna ... Petitioner

**V/s.**

State of Maharashtra & Ors ... Respondents

---

Mr. Rupesh Jaiswal (through VC) a/w Mr. Shivram Gawade for the Petitioner.  
Ms. P.P. Shinde, A.P.P. for Respondent No.1-State.

---

**CORAM : A. S. GADKARI AND  
KAMAL KHATA, JJ.**

**DATE : 29<sup>th</sup> APRIL 2026**

**P.C. :**

1) According to us, the condition imposed upon the Petitioner requiring him to furnish a surety of his close relative in the sum of Rs.1,00,000/- is not only onerous, but also impracticable to comply with. The Petitioner, being a convict, is evidently unable to arrange a cash surety of Rs.1,00,000/-. It appears that the Competent Authority has failed to consider the practical reality of life and has imposed onerous conditions upon the Petitioner.

2) We, therefore, set aside condition No.1 imposed upon the Petitioner by Order dated 30<sup>th</sup> January, 2026 and direct the Competent Authority to impose a reasonable and suitable condition upon the Petitioner. The same be done within a period of one week from today.

- 3) Stand over to 7<sup>th</sup> May, 2026.
- 4) To be listed under the caption 'For Directions'.

( KAMAL KHATA, J. )

( A.S. GADKARI, J. )