

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 67 OF 2015

IN

CRIMINAL REVISION APPLICATION NO. 53 OF 2014

MR. BIPIN MATHURDAS THAKKAR THR.
HIS NEXT FRIEND AND WIFE MRS.
MEENA BIPIN THAKKAR.

... Applicant

Versus

SHRI SAMIR ALIAS SAMEER DESSAI AND
ANR.,

... Respondents

Mr. L. Raghunandan, Advocate for the Applicant.
Mr. A.D. Bhobe, Advocate for the Respondent No. 1.
Mr. Mahesh Amonkar, Additional Public Prosecutor for the
Respondent No. 2.

Coram:- C. V. BHADANG, J.

Date:- 18th March, 2015

P.C:

This is an application for extension of time to surrender. The applicant has been convicted for the offence punishable under Section 138 of the Negotiable Instruments Act and has been sentenced to undergo simple imprisonment for a period of three months and to pay compensation of Rs.30,00,000/- and in default to suffer further simple imprisonment for a period of six months. That order has attained finality as the appeal filed by the applicant before the learned Sessions Judge as well as criminal revision application being Criminal Revision Application No. 53/2014 was dismissed on 05.02.2015. This Court had granted six weeks time to the petitioner to surrender to undergo the sentence imposed upon him.

2. It is submitted by the learned Counsel for the applicant that the applicant could not arrange for the huge amount. It is submitted that the applicant has received the certified copy of the judgment in the revision application on 09.02.2015 and has taken steps to approach the Hon'ble Supreme Court. It is submitted that in such circumstances, the time to surrender may be extended by a period of six weeks.

3. The learned Counsel for the respondent no. 1 submitted that appropriate order be passed in the circumstances. The learned Additional Public Prosecutor has nothing to say in the matter.

4. Having heard the learned Counsel for the parties, it appears that the initial judgment passed by the learned Magistrate is in February, 2014 and more than one year has elapsed since then. However, in the interest of justice to give reasonable opportunity to the applicant, the time to surrender is extended upto 06.04.2015 as a last chance. It is made clear that no further extension shall be granted.

5. The application stands disposed of.

C. V. BHADANG, J.

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