

Anand

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

CRIMINAL APPLICATION NO.405 OF 2015

IN

CRIMINAL APPLICATION NO.95 OF 2015

Umesh Kumar Baveja & anr. .Applicants

V/s.

The State of Maharashtra .Respondent

Mr.Ramesh Siroya, Advocate, for the Applicants
Mrs.Rutuja Ambekar, APP, for the Respondent -
State

Mr.Harsh Malhotra, Advocate, for the
Intervener

CORAM : REVATI MOHITE DERE, J.

DATE : 8TH MAY, 2015

P.C.

. Not on board. Taken on board.

2. Heard the learned counsel for the applicants, the learned APP for the respondent – State and the learned counsel for the intervener.

3. By this application, the applicants seek extension of time of four weeks to

furnish sureties. Vide order dated 19.03.2015, the applicants were released on cash bail of Rs.2,00,000/- each for a period of six weeks. The applicants were to furnish sureties within a period of six weeks from their release to the satisfaction of the trial Court. The learned counsel for the applicants had submitted that no further extension would be sought. It was made clear, that if the applicants fail to furnish sureties, the law will take its own course i.e. the applicants will be taken into custody.

4. The learned counsel for the applicants submits that as far as the applicant No.1 is concerned, he has already furnished surety documents and the same have been sent for verification. As far as the applicant No.2 is concerned, the applicant No.2 has applied for Solvency Certificate on 28.04.2015 and that the same is awaited. Mr.Malhotra, the intervener/original complainant has objected

to the extension of time, as sought by the applicants to furnish sureties. He submits that the applicants ought to have furnished sureties as directed by this Court vide order dated 19.03.2015 within six weeks. He submits that there is suppression of facts by the applicants.

5. Considering the fact, that the applicant No.1 has already submitted surety documents and the applicant No.2 has applied for Solvency Certificate, the applicants are granted one opportunity to submit the sureties within six weeks from today. Accordingly, time is extended by a period of six weeks from today to furnish solvent sureties. Considering the fact, that this application has been filed at a belated stage, after expiry of six weeks, the applicants shall pay costs of Rs.10,000/- to the complainant within one week from today.

6. On the aforesaid terms, the Application is allowed & disposed of.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)