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

*CRIMINAL APPLICATION No. 643 of 2014  
IN  
CRIMINAL APPEAL No. 1051 of 2014*

Mukesh Bhai  
Vs  
State of Maharashtra & Anr

..Applicant/Appellant.  
..Respondents.

Mr Harshal Mirashi Advocate for the Applicant.  
Mrs Anamika Malhotra, APP for the State.

CORAM : A.R.JOSHI,J

DATE : 30<sup>th</sup> JUNE, 2015

PC. :

- 1) Heard learned advocate for the applicant in this appeal praying for modification of the earlier order passed by this Court dated 10<sup>th</sup> December, 2014 and allowing the applicant to continue on the same bond which was given before the concerned M.M.Court which acquitted him in C.C. No. 489/SS/2013.
- 2) The said order of acquittal as mentioned above is challenged by the original complainant by filing Criminal Appeal along with application for leave. The leave application was allowed. So also the appeal was allowed by this Court vide order dated 10<sup>th</sup> December, 2014 (Coram : M.L. Tahaliyani,J). At the end of the order, the

directions were given for taking action against the present applicant u/s 390 of Cr.P.C. and directions were given to issue bailable warrant in the sum of Rs.20,000/-against him. Today, the present applicant, who is the respondent in Criminal Appeal No.1051/2014 is present. The said order of this Court is modified to the following extent:-

- 3) Process u/s 390 of Cr.P.C. be issued against the respondent by the concerned M.M.Court which had acquitted him. The directions are also given to the concerned M.M.Court to release the applicant on bail in the sum of Rs.500/-.
- 4) R and P in Appeal No. 1051 of 2014 is already received. Office to take up the matter in due course. At present, the matter be removed from the board.
- 5) With the above directions, present application is disposed of.
- 6) Present order be communicated to the concerned Court to take action u/s 390 of Cr.P.C.

(A.R.JOSHI, J.)