

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1009 of 2015

IN

CRIMINAL APPEAL NO.1042 of 2003

Prabhakar Dnyaneshwar Jadhav

and anr

.. Applicants

Versus

The State of Maharashtra

.. Respondent

Mr.Satyavrat Joshi, Advocate for the applicants.

Mr.Deepak Thakre, APP for the Respondent State.

CORAM : ABHAY M. THIPSAY, J.

DATED : 7th SEPTEMBER, 2015

P.C. :

1 Heard Mr.Satyavrat Joshi, the learned counsel for the applicants.

2 The Appeal filed by the applicants has already been admitted. The appellants were on bail during the trial, and as the sentence imposed upon them, was of three years, they were granted bail by the trial court even after conviction. When the Appeal was admitted, the appellants were directed to be released on the same bail, but on executing fresh bonds. According to the learned counsel, as the applicants have not executed fresh bonds, the trial court has now issued warrants of arrest against them.

3 Mr.Satyavrat Joshi states that fresh surety was not produced, and fresh bonds were not executed due to inadvertence.

4 There is nothing before this Court to show that the trial Court has directed warrants of arrest to be issued against the applicants, and further if so, whether the warrants areailable or non-ailable.

5 In the circumstances, since the applicants undertake before this Court that they shall appear before the trial court, and furnish a fresh surety and/or execute a fresh bond in accordance with the order passed by this Court at the time of admission of the Appeal, I am inclined to allow the application.

6 The applicants shall do the needful – as undertaken by them – within a week from today. In view of this, the execution of the warrants of arrest, if any, ordered against the applicants, be stayed for a period of one week from today.

7 Application is disposed of in the aforesaid terms.

(ABHAY M. THIPSAY, J)