

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1585 OF 2015
IN
CRIMINAL APPEAL NO. 572 OF 2015 (Disposed of on 10.12.2015)

Salman Salim Khan	...	Applicant
<u>In the matter between :</u>		
Salman Salim Khan	...	Appellant
vs.		
The State of Maharashtra	...	Respondent

Mr.Nausher Kohli a/w Mr. Vikram Sutaria i/b DSK Legal,Advocate for the applicant

Ms. A.A.Mane, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 22nd December, 2015.

P.C.

Not on board. Taken on board.

2. The applicant herein has filed an application seeking extension of time for furnishing the solvent sureties. In the order dated 10.12.2015, this Court (Coram: A.R.Joshi, J. - since retired) has passed the following order :-

“In view of the provisions of Section 437-A of Cr.P.C.,

the appellant shall execute a P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount;

On the request on behalf of the appellant-accused provisionally a cash security of Rs.25,000/- (Rupees Twenty Five Thousand only), shall be accepted by the office for a period of two weeks and within this time the surety procedure shall be completed. The bail procedure be complied before the office of this Court.

As the bail bonds of the appellant-accused stand cancelled, which were given at the time of admission of the appeal, Bandra Police Station is directed to hand over the Passport of the appellant to him on proper identification.”

3. The learned APP submits that in view of Section 437-A of Cr.P.C., the acquitted accused is bound to furnish bail bonds before the Sessions Court. He has to furnish surety before the Sessions Court.

4. The learned counsel for the applicant submits that the surety bonds are sent to the concerned Police Station for verification. The order dated 10.12.2015 needs to be modified partly.

5. It is reported that the appellant had given an undertaking before this Court and has also furnished surety before this Court. In normal circumstances, the procedure has to be completed before the trial Court. In view of this, the Registry of this Court is directed to remit all the concerned

papers to the trial Court forthwith. The procedure be completed before the trial Court within three weeks from today.

6. The learned counsel submits that the applicant has deposited Rs.25,000/- towards cash bail and is released on provisional cash Bail. Registry shall also give a written intimation to that effect to the trial Court.

7. The concerned Police Station as well as the Revenue Authorities shall send the verification report to the Court of Sessions/trial Court as the entire procedure is to be completed before the trial Court.

8. The Registry shall also communicate with the Revenue Authorities as well as the police to send the report directly to the Sessions Court. The Registry shall complete the procedure at the earliest.

Application stands disposed of.

(SMT.SADHANA S.JADHAV, J.)