

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 7108 OF 2016
IN REVN/267/2016

DEVISING S/O RAGHUNATH GIRASE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Durgesh M. Pingale.
APP for Respondent / State : Mr. A. S. Shinde.

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CORAM : **V. K. JADHAV, J.**
DATE : 27th December, 2016.
(Vacation Court)

ORDER:

. Heard.

2 By way of this criminal application, the Applicant is seeking modification in the order dated 14th December, 2016.

3 The learned counsel for the Applicant submits that the Applicant is not in a position to deposit an amount of Rs.2,00,000/- as directed by this Court and therefore, the Applicant is in jail. The learned counsel further submits that in death claim, the legal representatives of a person, who met with an accidental death, preferred Motor Accident Claim Petition No.271 of 2007 before the Member of the Motor Accident Claims Tribunal, Shahada and one

injured in the said accident has preferred Motor Accident Claim Petition No.272 of 2007 before the same Tribunal and the learned Member of the Motor Accident Claims Tribunal awarded compensation to the legal representatives and directed the present Applicant and the insurer of the vehicle met with an accident, to pay the compensation jointly and severally. The learned counsel submits that at the time of passing of the order dated 14th December, 2016, copy of the said judgment was not available with the Applicant.

4 I have also heard the learned APP for the Respondent / State.

5 Since the learned Member of the Motor Accident Claims Tribunal has already awarded compensation directing the Applicant and the insurer to pay the compensation to the legal representatives jointly and severally alongwith insurer of the vehicle, I am inclined to modify the order dated 14th December, 2016. The Applicant shall deposit an amount of Rs.25,000/- (Rupees Twenty Five Thousand only) within a period of two weeks from the date of this order and further furnish the solvent security to the extent of remaining amount within the said period.

6 Remaining order dated 14th December, 2016, shall follow
on compliance of the above modified conditions.

7 Criminal application is accordingly disposed of.

8 Parties to act on the authenticated copy of this order.

[V. K. JADHAV, J.]

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