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

**CRIMINAL APPLICATION NO.314 OF 2016
(FOR EXTENSION OF TIME)**

IN

CRIMINAL APPLICATION NO.109 OF 2016

IN

CRIMINAL REVISION APPLICATION NO.120 OF 2016

Manoj Laxmidas Dhirwani

...Applicant

Versus

Vaishnavi Vijay Hegiste and Anr.

...Respondents

Mr.Jatin P. Shah, for the Applicant

Mr.A.S.Shitole, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 13th JUNE, 2016

P.C. :

1. Heard the learned counsel for the Applicant.
2. By this application, the applicant seeks extension of time to comply with the order dated 14th March, 2016, directing the applicant to deposit a sum of Rs.2,80,000/- in the Registry of the Sessions Court, Mumbai.

3. Learned Counsel for the Applicant submits that in the order dated 14th March, 2016, it was wrongly submitted by the learned counsel for the applicant that during the pendency of the applicant's appeal in the Sessions Court, an amount of Rs.70,000/- was deposited in the Registry of the Sessions Court, Mumbai instead of the Trial Court and hence this Court directed the applicant to deposit a sum of Rs.2,80,000/- in the Registry of the Sessions Court, Mumbai while suspending the substantive sentence imposed upon the applicant.

4. Learned Counsel for the applicant submits that the amount of Rs.70,000/- was deposited in the Trial Court during the pendency of the applicant's appeal in the Sessions Court and hence the applicant be directed to deposit the sum of Rs.2,80,000/- also in the Trial Court, instead of the Sessions Court, Mumbai. He further submits that the applicant was unable to deposit the aforesaid amount of Rs.2,80,000/- as directed by this Court vide order dated 14th March, 2016 as the applicant's niece, aged 19 years was suffering from Cancer and was undergoing Chemotherapy and as such there were medical expenses that had cropped up during the said period. He submitted that the applicant is ready to deposit the said amount of

Rs.2,80,000/- within one week from today in the Registry of the Trial Court.

The said statement is accepted.

5. Accordingly, the applicant shall now deposit the sum of Rs.2,80,000/- in the Registry of the Trial Court instead of the Sessions Court, Mumbai as the earlier amount of Rs.70,000/- was also deposited by the applicant in the Trial Court.

6. The aforesaid amount of Rs.2,80,000/- be deposited by the applicant in the Registry of the Trial Court, within one week from today, failing which the suspension of sentence shall stand vacated, without further reference to the Court.

7. The Application is allowed and disposed of in above terms.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.