

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.769 OF 2016

Chetan Nagindas Desai ... **Applicant**
V/s.
The State of Maharashtra ... **Respondent**

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Mr.Nitin Sejpal, Advocate for the Applicant.
Mrs.Aruna S. Pai, APP for the Respondent/State.

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CORAM : P. N. DESHMUKH J.

DATED : 20th JULY 2016.

P.C.

1 Heard learned counsel for the applicant for some time, who has prayed for modification of order of learned trial Court dated 31/01/2015, vide which applicant is directed to be released on bail on his furnishing P.B. and S.B. of Rs.Five Lakh and in addition is directed to deposit cash of Rs.5,00,000/- in the Court till the conclusion of trial.

2 The learned counsel for the applicant has submitted that applicant could not furnish P.B. and S.B. of Rs.Five Lakh and applicant had deposited 2.5 Lakh against cash of Rs.Five Lakh as ordered to be deposited before the trial Court.

3 Admittedly, from the documents filed with the application, it reveals that applicant has repeatedly sought time to comply with the order dated 31/01/2015 from the Court of learned Additional Chief Metropolitan Magistrate to deposit balance amount of reservation.2.5 Lakh, which was allowed.

4 The learned counsel for the applicant now prayed for modification of order that instead of insisting for release of applicant on his furnishing P.B. and S.B. of Rs.Five Lakh, he be released on cash bail and instead of depositing cash of Rs.Five Lakh, he be allowed to deposit Rs.2,50,000/- before the trial Court. Admittedly, no such request is made before the Court, which is seized with the matter.

5 In that view of the matter, application is rejected with liberty to applicant to make necessary application seeking above said modification before the competent Court.

6 Application is thus rejected with liberty as above.

(P. N. DESHMUKH J.)