

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

CRIMINAL APPLICATION NO. 925 OF 2017

Madhukar Meghashyam Rupji

...Applicant

Versus

The State of Maharashtra & anr.

...Respondents

Mr. Niranjan Mundargi i/b. Mr. Sachin S. Gangan for the applicant.
Mr. H. J. Dedhia, APP for the respondent - State.

CORAM : PRAKASH D. NAIK, J.

DATE : 31st AUGUST, 2017.

P.C. :

. Leave to amend prayer clause.

2. The applicant has been convicted by the Court of State Consumer Disputes Redressal Commission Maharashtra Mumbai (State Commission) and he has been taken into custody vide order dated 7th July, 2017.

3. The applicant was sentenced to suffer imprisonment for three years or untill final order is complied with.

4. Learned advocate for the applicant submitted that the

applicant is 79 year old person. Since last two months he is in custody. It is also submitted that the applicant is ailing from various ailments. Reliance is also placed on medical documents. It is submitted that the applicant in order to comply with the order of the State Commission obtained various necessary permission from the concerned authorities and had made 75- 80% payment of the interest amount to MCGM with an intention to obtain occupancy certificate for the place where the said flats are situated. It is further submitted that the applicant was trying to settle the issues and therefore till now has not approached the Appellate Authority. It is submitted that taking into consideration the age and the circumstances in which the applicant is in custody, the sentence imposed by the State Commission may be suspended for the period of six weeks. It is submitted that the applicant would prefer an appeal before the National Consumer Redressal Commission, Delhi which would take some time. Learned counsel has relied upon the order passed by this Court in Criminal Application No.359 of 2016 wherein the applicant in the said order was released on bail for a temporary period.

4. Taking into consideration the submissions advanced by the advocate for the applicant, the applicant be released on bail for a

period of four weeks from today. Hence, I pass following order;

:: ORDER ::

- (i) The applicant is directed to be released on bail on furnishing P.R. Bond in the sum of Rs.1,00,000/- (Rupees One Lakh only.) with one or more sureties in the like amount in connection with Execution Application No. EA/16/36 to EA/16/54.
- (ii) This protection has been granted for a period of four weeks.
- (iii) The applicant is permitted to furnish cash security in the sum of Rs.1,00,000/- (Rupees One lakh only.) in lieu of surety.
- (iv) The Application stands disposed of.

[PRAKASH D. NAIK, J.]