

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1256 OF 2017
IN
CRIMINAL APPEAL NO.614 OF 2015**

Suraj Siddharam Chimukale ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

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Mr.Ganesh Bhujbal with Mr.Baburao Shinde, Advocate for the Applicant.

Ms.P.N.Dabholkar, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 6th September 2017.

P.C. :

1 Heard the learned Advocate appearing for the applicant/appellant/convicted accused, as well as, the learned Additional Public Prosecutor.

2 It is seen that vide Order dated 16/06/2015 passed in Criminal Application No.650 of 2015, the applicant/appellant/original accused was directed to be released on same bail with is fresh bond which was to be executed before the learned trial Court. It is seen that because of some miscommunication, bond could not be executed by the applicant/appellant/original accused before the trial Court. The learned Advocate for the applicant/accused submits that the applicant/appellant/original

accused will execute fresh bond within one month from today and prays for recalling the order dated 9th August 2017 directing the learned Sessions Judge, Thane to issue warrant of commitment in Form 34.

3 As vide Order dated 16/06/2015 passed by this Court, substantive sentence of imprisonment is already suspended and the applicant is already directed to be released on bail, I see no impediment in granting the time as sought. Hence, the Order :

- (i) The application is allowed.
- (ii) Time of one month is granted to the appellant to furnish fresh bond with the trial Court.
- (iii) As a consequence, the Order dated 9th August 2017 passed by this Court directing issue of warrant of commitment in Form 34 is recalled.
- (iv) The application is, accordingly, disposed of.

(A.M.BADAR J.)