

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.1344 OF 2017
WITH
CRIMINAL APPEAL NO.714 OF 2015**

Rahul Vasant Chautmal & Ors. ... **Applicants**

V/s.

The State of Maharashtra & Anr. ... **Respondents**

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Mr.R.D.Soni i/b. Ram & Co., Advocate for the Applicants.

Mrs.M.R.Tidke, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 25th September 2017.

P.C. :

1 This is an application for recalling the order dated 9th August 2017 passed by this Court (Coram : Smt.Anuja Prabhudessai, J.) directing the learned Sessions Judge to issue warrant of commitment in Form No.34.

2 Heard the learned Advocate appearing for applicants/accused. Perused the application.

3 It is seen that by Order dated 3rd August 2015, applicants were directed to be released on bail by suspending

sentence and they were directed to furnish bonds before the trial Court.

3 As fresh bonds as directed by order dated 3rd August 2015 were not executed by applicant/accused before the learned trial Court, the order dated 9th August 2017 directing issuance of warrant of commitment came to be passed by this Court.

4 All applicants are present before this Court duly identified by their learned Advocate. The application contains reason for not executing fresh bonds in past, though there appears to be some lapses on part of applicants also.

5 Be that as it may, as substantive sentence of imprisonment is only for six months and as applicants are ready and willing to execute fresh bonds immediately, the following order :

- (i) The Order dated 9th August 2017 passed by this Court directing issuance of warrant of commitment is recalled.
- (ii) Applicants are directed to execute fresh bonds in terms of Order dated 3rd August 2015 within a period of three weeks from today before the learned trial Court.

(iii) The learned trial Court is directed to get those bonds executed from applicants and then transmit it to this Court for being tagged along with Record and Proceedings of Sessions Case No.268 of 2011 which is reported to be with this Court.

(A.M.BADAR J.)