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

CRIMINAL APPLICATION NO.717 OF 2016

Sukhdev Ramswarup Sharma

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.N.V.Gupta, for the Applicant.

Mr.Ajay Patil, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 29th AUGUST, 2017

P.C. :

1. By this application, the applicant seeks the following prayer:-
 - a. This Hon'ble Court be please to pass an order to treat the provisional cash bail of the applicant as the permanent cash bail and condition to furnish surety should be canceled in C.R. 495/14 of the Andheri Police Station registered against the Applicant.

2. Learned Counsel for the Applicant submitted that the applicant is unable to get one surety as directed by the trial Court vide order dated 22nd April, 2016. He, therefore, submits that the applicant be released on permanent cash bail and the direction directing the applicant to furnish cash surety be set aside.

3. Learned APP opposed the application.

4. Perused the papers. The applicant was enlarged on bail in connection with C.R.No.495 of 2014, registered with the Andheri Police Station, for the alleged offences punishable under Sections 406, 419, 420, 465, 467, 468, 471, 120B of the Indian Penal Code and under Section 66(c) (d)(e) of the Information Technology Act, 2000, by the learned Additional Sessions Judge, Greater Bombay, vide order dated 22nd April, 2016. Amongst other conditions that were imposed vide order dated 22nd April, 2016, the applicant was directed to be released on execution of P.B. and S.B. of Rs.50,000/- in the like amount in the aforesaid C.R. Several other conditions were also imposed by the learned Judge, vide the said order. It appears, that after the aforesaid order dated 22nd April, 2016, was passed,

the applicant preferred an Application, being Miscellaneous Application No.98 of 2016, praying therein, that the applicant be released on provisional cash bail and for reduction of the surety amount to Rs.20,000/-. The said application was partly allowed by the learned Additional Sessions Judge, Greater Bombay, vide order dated 13th June, 2016 and the applicant was permitted to deposit cash surety of Rs.1,00,000/- and time of 30 days was granted to comply with the condition of bail. The condition of furnishing surety was also modified and the applicant was directed to furnish two sureties amounting to Rs.50,000/-.

5. As far as the prayer for enlargement of the applicant on permanent cash bail is concerned, the same is rejected. As far as sureties, it appears that the applicant is unable to get two sureties for the said amount of Rs.50,000/-. Hence, the condition of furnishing sureties is modified/relaxed. The applicant shall now furnish one or more local sureties to make up the amount of Rs.50,000/-, instead of furnishing two sureties. Accordingly, time to furnish sureties is extended by a period of six weeks.

6. The Application is partly allowed and is accordingly disposed of on the aforesaid terms.

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

(REVATI MOHITE DERE, J.)