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

**CRIMINAL APPLICATION NO. 603 OF 2018
IN
BAIL APPLICATION NO.1901 OF 2017**

Kumar Shankar Karajgi

.....Applicant

V/s.

The State of Maharashtra & Ors

... Respondents

Mr. Sudhir C. Halli for applicant.

Mr. Prashant Jadhav, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 21st MAY 2018

(Vacation Court)

P.C.:

1] This is an application for modification of Order dated 28.11.2017 and/or seeking extension to comply with the undertakings given by the applicant to this Court and have been accepted by Order dated 28.11.2017 passed by this Court.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record.

By an Order dated 28th November 2017 in Bail Application No.1901 of 2017, the applicant was released on bail on certain terms and conditions. Prime condition for releasing the applicant on bail is that, the

applicant shall deposit Rs.2,90,73,234/- in the Registry of Trial Court on or before 19th June 2018. A solemnized statement was made by the applicant before this Court that, he will deposit an amount of Rs.2,59,94,629/- in the Registry of Judicial Magistrate First Class, Solapur on or before 20.05.2018. The applicant had filed an Undertaking to that effect.

Apart from his undertaking, the daughter of the applicant namely Smt. Varsha R. Vibhute had also filed an affidavit cum undertaking accepting the said liability. On the basis of the said undertakings given by the applicant, this Court released the applicant on bail by an Order dated 28.11.2017. In Order dated 28.11.2017 in para 6(iv) it is explicitly made clear that, the applicant shall deposit the installments of the amounts mentioned in the affidavit on stipulated dates without seeking extension on any count.

3] Mr. Halli, the learned Counsel appearing for the applicant submitted that, as of today the applicant has deposited Rs.2,00,00,000/- (Rupees Two Crores) in the Registry of Judicial Magistrate First Class, Solapur and a sum of Rs.90,73,234/- is yet to be paid. He cited innumerable reasons for non-compliance of the undertaking given to this Court.

4] It is to be noted here that, the undertakings given to this Court are required to be complied with sincerity and not for flouting them and the Orders passed on the basis of said undertakings are to be obeyed without demur.

5] May that as it may, on the profused insistence of Shri Halli, the learned Counsel for the applicant, the period to make up the amount of Rs.2,59,94,629/- i.e. to deposit the balance amount of Rs.59,94,629/- is hereby extended upto 30th May 2018, as a last chance.

The date of last installment i.e. 19.6.2018 as mentioned in para-6 of the said Order is not disturbed.

6] Application is allowed in the aforesaid terms.

All the concerned to act on an authenticated copy of this Order.

(A.S.GADKARI, J.)