

Anand

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

CRIMINAL APPLICATION NO. 209 OF 2018

Anil Dhirajlal Doshi .Applicant

Vs.

The State of Maharashtra .Respondent

Ms C. Bocarro i/b. Mr. V. Sharma Advocate, for the Applicant
Mr. S. S. Hulke, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 26.04.2018

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks modification of the condition in para 2 of the Order dated 03.02.2017 passed by the learned Special Judge, MPID Court.

3. Perused the papers. The condition of which modification is sought reads as under :-

“Applicant Anil Dheerajlal Doshi is ordered to be released on executing PB of Rs. 1 Lakh with one or more solvent sureties to make up the like amount.”

4. Learned counsel for the Applicant submits that despite making several attempts, the Applicant was unable to furnish solvent sureties as directed by the learned Special Judge vide Order dated 03.02.2017. He submits that the Applicant had although filed an Application for extension of time to furnish surety and had asked for other reliefs, the said Application was partly allowed by the learned Special Judge vide Order dated 03.11.2017, inasmuch as time to furnish solvent sureties was extended by six months. Hence, this Application.

5. According to the learned counsel for the Applicant, despite making several efforts, he is unable to get solvent sureties as directed by the MPID Court vide Order dated 03.02.2017. He submits that the Applicant is a Senior Citizen with no source of income and he is suffering from several medical ailments. He, therefore, requests that surety amount be reduced from Rs. 1,00,000/- to Rs. 25,000/- and that time be extended to furnish the same.

6. Considering the aforesaid and for the reasons set out in the Application, the Application is allowed and the condition imposed by the learned Special Judge vide Order dated 03.02.2017 directing the Applicant to execute PB of Rs. 1 Lakh with one or more solvent sureties

to make up the like amount is reduced, to Rs. 25,000/-. Accordingly, the Applicant shall now be released on executing PB of Rs. 25,000/- with one or more sureties to make up the like amount. As far as cash deposit is concerned, the Applicant is not permitted to withdraw the same i. e. Rs. 3,00,000/- deposited by him. The other conditions imposed by the learned Special Judge shall continue to operate. Time to furnish sureties is extended by a period of six weeks.

7. Accordingly, the Application is allowed & disposed of.

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

(REVATI MOHITE DERE, J.)