

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2419 OF 2017**

Chandrakant (Bandu) Bhau Koli	...Petitioner
Versus	
Ramdas Shridhar Sawant & Anr.	...Respondents

Mr. Anand S. Kulkarni for the Petitioner

Ms. R. M. Gadhvi, A.P.P for the Respondent No.2-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 5th JANUARY, 2018

P.C. :

1 Heard learned counsel for the petitioner and the learned A.P.P

2 By this petition, the petitioner has impugned the order dated 8th
March, 2017 passed by the learned Additional Sessions Judge, Pandharpur
below Exhibit 5 in Criminal Appeal No. 12 of 2017.

3 Learned counsel for the petitioner submits that the direction to
deposit 50% of the amount awarded as compensation is extremely harsh
and unreasonable. He submits that the petitioner's financial condition is

weak. He further submits that the petitioner has a good case on merits. Learned counsel relied on the judgment in the case of ***Dilip S. Dahanukar vs. Kotak Mahindra Co. Ltd. & Anr.***¹

4 Perused the papers, including the impugned order. Without going into the merits of the case, in the interest of justice, it would be appropriate to modify the order dated 8th March, 2017 passed by the learned Additional Sessions Judge, Pandharpur below Exhibit 5 in Criminal Appeal No. 12 of 2017, to the extent that the petitioner be directed to deposit 25% of the amount awarded as compensation instead of 50%. The petitioner shall deposit the said amount i.e. 25% of the compensation amount, within eight weeks from today. The order dated 8th March, 2017 is modified to the extent as stated aforesaid.

5 Writ petition is accordingly disposed of.

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

REVATI MOHITE DERE, J.

1 (2007) 6 SCC 528