

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 821 OF 2018****IN****BAIL APPLICATION NO. 647 OF 2018**

Vishal Suresh Chavan

....Applicant

Vs.

The State of Maharashtra

....Respondent.

Mr. Sujit Shelar for the Applicant.

Ms. J.S. Lohokare APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 19th JULY, 2018.****P.C.:-**

This is an Application for condonation of delay of 3 days in depositing the second installment of Rs.5,35,000/- (Rupees Five Lakhs Thirty Five Thousand only) in the Registry of the Trial Court, in pursuance of Order dated 4th May, 2018 passed by this Court in Bail Application No. 647 of 2018 and for cancellation of non-bailable warrant issued against the Applicant by an Order dated 29th June, 2018 by the learned Additional Sessions Judge, Greater Mumbai.

2 Mr. Shelar, the learned counsel appearing for the Applicant submitted that, as a matter of fact, the Applicant has deposited Rs.10,00,000/- (Rupees Ten Lakhs only) in the Registry of the Trial Court on 29th June, 2018 and there was a delay of 3 days in depositing the

balance amount of Rs.5,35,000/- by the Applicant. He submitted that, as a matter of fact, the Applicant while depositing the balance amount in the Registry of the Trial Court on 2nd July, 2018, there was delay in complying with the Order dated 4th May, 2018 passed by this Court in Bail Application No. 647 of 2018 and therefore, the learned Additional Sessions Judge, Greater Mumbai has issued a non-bailable warrant against the Applicant by the impugned order dated 29th June, 2018.

3 As noted earlier, though belatedly, with a delay of 3 days, the Applicant has deposited the balance amount of Rs.5,35,000/- in the Registry Trial Court, I am inclined to condone the delay caused therein and to cancel the non-bailable warrant issued against the Applicant by impugned Order dated 29th June, 2018.

Hence the following order-

- a) The delay of 3 days in depositing the second installment of Rs.5,35,000/- in the Registry of the Trial Court is hereby condoned.
- b) The Order of non-bailable warrant issued against the Applicant on 29th June, 2018 by the learned Additional Sessions Judge, Mumbai is hereby set aside.

4 Application is accordingly allowed in the aforesaid terms.

(A.S. GADKARI, J.)