

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 67 OF 2019

IN

CRIMINAL APPEAL NO. 79 OF 2018

ANTON MARLINE.,

... Applicant

Versus

STATE, THR. ANTI NARCOTIC CELL
POLICE STATION, PANAJI AND ANR.,

... Respondents

Mr. T. George John, Advocate for the Applicant.
Mr. Pravin Faldessai, Additional Public Prosecutor for the
Respondents.

Coram:- C. V. BHADANG, J.

Date:- 1st March 2019

P.C.

This is an application for recall of the order dated 01.02.2019, passed by this Court. By the said order, the suspension of sentence granted by this Court, by earlier order dated 27.11.2018, has been recalled, on the ground that the applicant has not paid the fine.

2. Mr. John, the learned Counsel for the applicant has today, produced the copy of the receipt dated 28.12.2018, which shows that the amount of fine of Rs.1 lakh has been deposited before the District and Sessions Judge, South Goa, Margao, which fact, was not pointed out to this Court, as there was no appearance on behalf of the applicant on 01.02.2019.

3. On hearing the learned Counsel for the parties, the order dated 01.02.2019 is hereby recalled. The order dated 27.11.2018 is restored. The learned Special Judge, in such circumstances, shall recall the non bailable warrant issued against the applicant.
4. The criminal application is disposed of in the aforesaid terms.
5. All concerned to act on the basis of an authenticated copy of the order.

C. V. BHADANG, J.

EV