

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

CRIMINAL WRIT PETITION NO. 3736 OF 2019

Shri. Mohan Vasant Patil

...Petitioner

Versus

The State of Maharashtra & Anr.

...Respondents

Mr. Prashant G. Sawant for petitioner.

Mrs. M.R. Tidke, APP for State.

**Adv. S.V. Sonawane a/w. Adv. Anita Nirgude a/w. Adv. Trisha Singh for
Respondent No. 2.**

**CORAM : S. S. SHINDE, J
DATE : 26th July 2019**

P.C.

1. Being aggrieved by the order dated 20th June 2019 passed by learned Additional Sessions Judge, Greater Mumbai, in Criminal Appeal No. 443 of 2018 this petition is filed.

2. Learned counsel appearing for the petitioner submits that, petitioner is not in a position to comply the directions of the Trial Court to deposit 25% of amount of the compensation, since he was in jail and he could not collect the money. It is submitted that, in case the judgment in the appeal goes against the petitioner, the petitioner is ready to file undertaking stating that, the petitioner will deposit the entire amount with 18% interest. It is further submitted that, the Appellate Court may be directed to expedite the

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hearing of the appeal pending before the Sessions Court.

3. On the other hand, learned counsel appearing for Respondent No. 2 submits that, Additional Sessions Judge, Greater Mumbai, has directed the petitioner to deposit 25% amount of the total compensation which comes to Rs. 6,75,290 with interest @ 9% from the date of the order i.e. 17th March 2018. It is submitted that, the petitioner has duped to the common citizens to the tune of Rs. 53 Crores. He has been indulged in illegal activities. Even after he is released on bail he has again indulged in the said illegal activities. It is further submitted that, Respondent No. 2 is senior citizen and need money for his survival. Therefore, learned counsel appearing for Respondent No. 2 submits that, petition may be rejected.

4. Heard learned counsel appearing for parties. Perused grounds taken in the petition, annexures thereto and reasons assigned by the Additional Sessions Judge in the impugned judgment. The directions issued by the Additional Sessions Judge are in conformity with the statutory provisions. The Trial Court has directed the petitioner to deposit 25% of total compensation amount which comes to Rs. 6,75,290 within 30 days with 9% interest. By any stretch of imagination the directions issued by the Sessions Court cannot be said to be contrary to the material placed on record or perverse. The directions issued by the Sessions Court is in conformity with the statutory provisions.

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Hence, no case is made out to cause interference in the impugned judgment.

Hence, writ petition stands rejected.

[S. S. SHINDE , J]