

Anand

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

CRIMINAL APPLICATION NO. 1028 OF 2019

Vasantrao Wamanrao Morey .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Dhrotiman S. Joshi, Advocate, for the Applicant
Mr. S. V. Gavand, APP, for the Respondent – State
Mr. Chetan Alai, Advocate, for the Complainant

CORAM : REVATI MOHITE DERE, J.

DATE : 13.08.2019

P.C.

. Heard learned counsel for the parties.

2. It is not in dispute that the Applicant was granted regular bail, in view of the undertaking given by the Applicant to deposit Rs. 50,00,000/-. As the said undertaking was breached, the prosecution filed an Application seeking cancellation of the Applicant's bail. Accordingly, the Sessions Court cancelled the Applicant's regular bail. The said order was confirmed by the High Court. The Supreme Court also dismissed the Applicant's SLP for non-prosecution, as the Applicant had failed to deposit Rs. 50,00,000/- in the trial Court, as directed by them, in their

earlier order dated 05.12.2016. The said order was passed by the Supreme Court on 24.07.2017. Till date, the Applicant has not complied with the order of deposit of the entire amount i. e. Rs. 50,00,000/-. The Applicant is at large from August, 2017. As far as the prayers sought for in this Application are concerned, the same cannot be granted having regard to the conduct of the Applicant. Accordingly, the Application stands rejected. Needless to state, that the Applicant can surrender before the appropriate Court / the concerned police station.

3. At this stage, learned counsel for the Applicant on instructions states that the Applicant will surrender before the Magistrate on 19.08.2019 after giving 48 hours notice of the time and date of surrender, to the investigating officer. Statement accepted. If an Application for regular bail / remand is made, learned Judge to consider the same on its own merits, in accordance with law.

4. The Application is disposed of on the aforesaid terms.

(REVATI MOHITE DERE, J.)