

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

CRIMINAL APPLICATION NO.615 OF 2017

Sou. Pranali Tushar Wadekar ... Applicant
Vs
State of Maharashtra & Ors. ... Respondents

...
Mr. Ashok B. Tajane for the Applicant.
Mr. B.G.Tangsali for respondent no.3.
Ms. Rutuja Ambekar, APP for the Respondent Nos.1 and
2-State.

CORAM : SANDEEP K. SHINDE J.
DATE : 8th NOVEMBER, 2019

P.C. :

It is an application under Section 439(2) of the
Code of Criminal Procedure, 1973 filed by the complainant.

2 Vide order dated 14th July, 2016, the learned
Metropolitan Magistrate, 15th Court, Mazgaon, enlarged the
applicant on bail. The order reads as under:

Order

*“ Perused application and say. Adv.
For Accused filed undertaking that the
amount will be paid by installment in 2 years.
Taking into consideration all these
circumstances and fact that charge sheet is*

2017.odt

filed accused be released on PB and SB of Rs.30,000/- with one or two sureties in like amount along with address proof. The amount involved in this case is 23 lakhs. Hence, accused be released on provisionally on cash surety of Rs.1 Lakh and address proof for two months."

3 Applicant has not paid the amount as undertaken. Applicant thus, breached the Undertaking. In view of this admitted fact, order dated 14th July, 2016 passed in Bail Application No.685 of 2016 by the Metropolitan Magistrate, 15th Court, Mazgaon, Mumbai is cancelled.

4 Respondent No.2 is directed to arrest Respondent No.3 and commit him to custody.

5 Application is disposed of.

(SANDEEP K. SHINDE, J.)