

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CRIMINAL APPLICATION (APPP) NO.1855/2019
IN
CRI. APPR NO.340/2019 IN CRIMINAL REVN. NO. 175/2019
(Dhanraj s/o Manikrao Dupare vs. Bhimrao Shravan Tambe)

Office Notes, Office Memoranda of
 Coram, appearances, Court's orders
 of directions and Registrar's orders

Court's or Judge's order

Mr. Bewali, Advocate for the applicant
 Mr.H M Sakhare, Adv. for respondent

CORAM : MRS. SWAPNA JOSHI, J.

DATED : 26th November, 2019

This is an application seeking appropriate direction to accept the surety and release the applicant/ accused on bail.

Being aggrieved by the judgment and order dated 22nd July 2019 passed by learned Additional Sessions Judge, Nagpur in Criminal Appeal No.183/2016 the applicant has filed Criminal Revision Application in this Court along with the application for suspension of sentence passed by learned JMFC, Mouda dated 24.08.2016.

On 8.8.2019, this Court has suspended the sentence imposed upon the applicant by directing him to deposit an amount of Rs. 2,60,000/- in this Court and to furnish PR bond of Rs.25,000/- and surety in the like amount. However the applicant had not deposited the said amount as per the order passed by this court.

On 30.9.2019 this court has dismissed the Revision Application for want of prosecution. On 10.10.2019 an application was filed by the applicant for restoration of Criminal Revision before this Court.

Meanwhile, the applicant deposited the amount of Rs.2,60,000/- in this court on 22.10.2019. On 5.11.2019 the Criminal Revision Application bearing No.175/2019 was restored and as the applicant was already released on bail by this court vide order dated 8.8.2019 the said order was restored to file.

It appears that the learned JMFC has some confusion about the said order. It is therefore made clear that the moment the order is passed restoring the matter to the file the learned JMFC ought to have complied the said order. Be that as it may, the following order is passed;

The learned JMFC is directed to comply with the order dated 8.8.2019 by releasing the applicant on bail on furnishing surety, as directed.

With the above directions, the Application stands disposed of.

JUDGE

Sahare