

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

**INTERIM APPLICATION NO.1312 OF 2020
IN
ANTICIPATORY BAIL APPLICATION NO.97 of 2020**

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Vaijayanta Manik Pawar .. Applicant
Versus
The State of Maharashtra .. Respondent

**WITH
INTERIM APPLICATION NO. 1303 OF 2020
IN
ANTICIPATORY BAIL APPLICATION NO. 262 of 2020**

Himanshu Lohani .. Applicant
Versus
The State of Maharashtra .. Respondents

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Mr. Satyavrat Joshi with Nitesh Mohite for the applicant in both the matter.

Mrs.M.M. Deshmukh, APP for the State.

**CORAM: BHARATI DANGRE, J
DATED : 16th DECEMBER, 2020**

P.C:-

1 Once again the applicants seek extension of time for complying with the order dated 24th February 2020. It is by this order both the applicants were held entitled for their release on bail in anticipation of their arrest in C.R. No. 364 of 2019

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registered with Paud Police Station. The affidavits filed by the applicants were taken on record and a statement that they will deposit an amount of Rs.35 lakhs (Rs.17.50 lakhs each) came to be accepted as an undertaking to the Court. It was also observed that this amount would not be constituted as total liability towards the prosecution case.

2 Unable to abide by the said undertaking, an application was moved and on 2nd June 2020, when total amount of Rs.21 lakhs was deposited and for deposit of Rs.14 lakhs (Rs.7 lakhs each by the applicant), time was extended till 31st October 2020.

3 By the present two Interim Applications, extension of time is sought by six months.

4 Mr.Joshi, the learned counsel representing the applicants state that as on date, an amount of Rs.10 lakhs remain unpaid by both the applicants, out of which applicant Himanshu has to clear amount of Rs.Four lakhs, he having been deposited Rs.13,50,000/-, whereas Vaijayanta has to deposit Rs.6 lakhs, since she has deposited Rs.11,50,000/-. The extension is sought on account of the financial constraint faced by the applicants in the wake of global pandemic and according to them, it was not possible to arrange for the said amount at one-go and though they

have an undertaken to deposit the amount in instalments, it was not possible for them to adhere to the time stipulations. If some time is granted, the applicants would arrange for the deposit amount.

5 Considering the said application, the reason cited appear to be genuine. The applicants have already proved their bonafides by depositing an amount of Rs.25 lakhs jointly and what remains unpaid is an amount of Rs.10 lakhs. To comply with the undertaking, time is therefore, extended till 28th February 2021. During this period, the applicant Vaijayanta would arrange for an amount of Rs.6 lakhs and applicant Himanshu would arrange for Rs.4 lakhs. The payment should be ensured on or before 28th February 2021 in the Court of JMFC, Pune which would then follow the course in terms of the original order dated 24th February 2020.

Interim Applications stand disposed of.

6 It is made clear that this would be taken as a last indulgence and the time will not be extended further.

(BHARATI DANGRE, J)