

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

**INTERIM APPLICATION NO. 429 OF 2021
IN
CRIMINAL APPLICATION NO. 1611 OF 2017
IN
CRIMINAL APPEAL NO. 414 OF 2016**

Sharad Hiranman Mohal ... Applicant

V/s.

State of Maharashtra. ... Respondent.

Mr. Prashant Mohan Patil, advocate for applicant.

Ms. P.P. Shinde, APP for State.

**CORAM : SMT. SADHANA S. JADHAV &
N.R. BORKAR, JJ.**

DATE : FEBRUARY 16, 2021.

PC.

1 Heard the learned Counsel for the applicant and the
learned APP for State.

2 This is an application seeking extension of time for
compliance of the order dated 23rd April, 2017 seeking suspension of
substantive sentence under section 389 of the Code of Criminal
Procedure, 1973. The application was allowed by an order dated 23rd

April, 2019. While enlarging the applicant on bail, this Court had imposed certain conditions upon the applicant. Clause-11 of the said order is as follows :

“11. However, in addition, (a) he shall supply residential address at which he shall be available during the period of this appeal with contact numbers and shall also intimate the changes therein by suitable affidavit within 15 days to this court as also to the concerned police station and (b) on 1st working day once in the period of every two months, he shall mark his attendance in the office of Superintendent, Additional Sessions Judge/Additional Sessions Court Pune.”

3 The learned Counsel for the applicant submits that the applicant was in custody in some other offence and was acquitted by a Judgment and Order dated 16/1/2021. Till 16/1/2021 he continued to remain in jail despite order dated 23rd April, 2019 enlarging him on bail. It is in view of this that clause 11 of the order dated 23/4/2019 could not be complied with. Hence, the applicant seeks an extension of two weeks to comply with the said condition. Time as prayed for is granted.

4 The application is allowed in terms of prayer clause (a).
The applicant shall comply with the said condition on or before 5th
March, 2021.

5 The application stands disposed of accordingly.

(N.R. BORKAR, J)

(SMT. SADHANA S. JADHAV, J)