

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

***CRIMINAL INTERIM APPLICATION NO. 784 OF 2021
IN
CRIMINAL APPLICATION NO. 863 OF 2019
IN
CRIMINAL APPEAL NO. 479 OF 2017***

Kantilal Nagjiram Joshi	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Tushar Londhe h/f Mr. Anil Lalla i/b Lalla & Lalla for the Applicant

Mr. P. H. Gaikwad-Patil, A.P.P for the Respondent–State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 16th MARCH 2021

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks extension of time of 6 weeks to furnish sureties of Rs. 50,000/- as directed vide order dated 9th December 2020 and continuation of cash bail for the said period of 6 weeks.

3 Perused the papers. Vide order dated 9th December 2020, the applicant's sentence was suspended and he was enlarged on bail pending the hearing and final disposal of the aforesaid appeal on furnishing PR bond in the sum of Rs. 50,000/- with 1 or 2 sureties in the like amount. Vide the said order, the applicant was permitted to furnish cash bail security in the sum of Rs. 50,000/- for a period of 12 weeks in lieu of the surety.

4 Learned counsel for the applicant submits that the applicant could not furnish surety within time, for reasons beyond his control. He submits that the applicant's brother-in-law- Popatram Thakar was diagnosed with acute diabetes and had to undergo a gangrene surgery i.e. amputation of his right foot. He submits that the applicant was busy attending to his brother-in-law during the said period. He further submits that as a result of the spread of gangrene, his brother-in-law expired on 17th January 2021, after which, the applicant got busy in the religious ceremonies of his brother-in-law.

5 For the reasons set out in the application, the application is allowed and cash bail security, as directed by this Court vide order dated 9th December 2020 passed in Criminal Application No. 863/2019 in Criminal

Appeal No. 479/2017, is extended by a period of 6 weeks from today, to enable the applicant to furnish P.R. Bond in the sum of Rs. 50,000/- with one or two sureties in the like amount.

6 Application is disposed of accordingly.

7 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.