

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

**INTERIM APPLICATION 1321 OF 2021  
IN  
ANTICIPATORY BAIL APPLICATION NO.762 OF 2021**

Aditya Ashok Jogani & Anr. .... Applicants

versus

State of Maharashtra & Anr. .... Respondents

.....

- Mr.Aabad Ponda, Senior Counsel i/b. Mr.Karan L. Jain,  
Advocate for Applicants.
- Mr.Akhilesh Dubey, Advocate for Respondent  
No.2/Complainant.
- Mr.Ajay Patil, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.  
DATE : 30<sup>th</sup> APRIL, 2021  
(through video conferencing)**

**P.C. :**

1. This is an application for extension of time to make payment to the Respondent No.2 of amount of Rs.3.15 Crores.
2. Heard Mr.Aabad Ponda, learned Senior counsel for the Applicant, Mr.Akhilesh Dubey, learned counsel for Respondent No.2 and Mr.Ajay Patil, learned APP for the State.

3. Learned Senior Counsel for the Applicant invited my attention to the order dated 18/03/2021 passed by this Court (Coram : Prakash D. Naik, J.), wherein it was recorded that two post dated cheques dated 25/04/2021 were handed over to the complainant. However, some apprehension was expressed by the complainant. Therefore, learned Senior Counsel Mr.Ponda, on instructions had submitted that on 26/04/2021 the Applicant would hand over Demand Draft of the exact amount as reflected in the consent terms. Based on this statement, interim order was passed in favour of the Applicant. It was mentioned in the operative part of the order that no further time would be granted to the Applicant to make the payment in accordance with consent terms. This order, as mentioned earlier, was passed on 18/03/2021.

4. Learned Senior Counsel submitted that subsequent to this order, the situation because of pandemic became worse and it became practically difficult for Applicant to comply with those

directions. He submitted that the Applicant has every intention to comply with his commitment. He only needs some reasonable time. The prayer as made in the application mentions that the Applicant has sought time till 20/05/2021 to make the payment. The Applicant at paragraph No.14 in the memo has agreed to pay an interest at the rate of 18% from 26/04/2021.

5. Learned counsel Mr. Ponda in oral submissions clarified that the figure of 18% is 'per annum'. Learned counsel for the complainant has no objection if such extension is granted and if interest is paid as submitted by Mr.Ponda.
6. In view of this statement, interim application is allowed in terms of prayer clause (a) r/w paragraph No.14 of the application.
7. The main matter shall be posted for further consideration on 23/06/2021.

8. Interim relief granted vide order dated 18/03/2021 to continue till then.
9. Interim application is disposed of.

**(SARANG V. KOTWAL, J.)**