

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1867 OF 2021**

Vinay Sarveratan Varma

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr.Ramprakash Pandey for Petitioner.

Mr.Sooraj S. Hulke, A.PP. for Respondent-State.

CORAM : A.S. GADKARI, J.**DATE : 3rd May 2021.****(Through Video Conferencing)****PC. :**

Learned counsel for the Petitioner submitted that, after the Order dated 5th April 2021 was passed by the Appellate Court thereby directing him to deposit 20% of the compensation amount before the Trial Court within one week from 5th April 2021, the Petitioner fell ill due to viral fever and therefore, was unable to arrange the said amount within stipulated period. He on instructions submitted that, the Petitioner will deposit the said amount in the Registry of the Trial Court on or before 3.00 pm of 7th May 2021. The said statement is accepted.

2. In view thereof, following Order is passed.

(i) The period to deposit the said amount of Rs.50,000/- in

furtherance of Order dated 5th April 2021 passed by the Appellate Court in Cri. M.A. No. 611 of 2021 @ CA No. 133 of 2021 [C.C. No.3261/SS/2015] is hereby extended upto 3.00 pm of 7th May 2021.

- (ii) It is made clear that, the period to deposit the said amount will not be further extended on any count.
- (iii) If the Petitioner fails to deposit the said amount within this extended period, the Respondent No.2 will be at liberty to execute conviction warrant against the Petitioner as per Order dated 10th March 2021 passed by the Trial Court.
- (iv) In the event the Petitioner deposits the said amount within stipulated period mentioned herein above, the Order dated 10th March 2021 passed by the Trial Court shall remain stayed during the pendency of the appeal preferred by the Petitioner.

- 3. Petition is allowed in the aforesaid terms.
- 4. All the concerned to act on the basis of an authenticated copy of this Order.

[A.S. GADKARI, J.]