

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

**INTERIM APPLICATION NO.2696 OF 2021  
IN  
CRIMINAL BAIL APPLICATION NO.1171 OF 2019**

Mahendra Krushnarao Gamare ... Applicant.

V/s.

State of Maharashtra ... Respondent

Mr.Devendranath S. Joshi for the Applicant.

Ms.M.R.Tidke APP for the Respondent-State.

**CORAM: MADHAV JAMDAR, J.  
(VACATION COURT)**

**DATE : 9TH NOVEMBER, 2021**

**P.C:-**

1. Heard Mr.Joshi, learned Counsel for the Applicant and Ms.Tidke, learned APP for the Respondent-State.
2. By this Application, the Applicant is seeking extension of time of two months from 9/11/2021 to deposit balance amount of Rs.20,00,000/- as directed by the order dated 16/12/2020 passed in Criminal Bail Application No.1171 of 2019.

3. Mr.Joshi, learned Counsel for the Applicant submitted that by the said order dated 16/12/2020 the Applicant was directed to deposit amount of Rs.30,00,000/- before the trial Court within a period of two months from the date of release. He submitted that total amount which was to be deposited is Rs.35,00,000/-. He further submitted that out of Rs.35,00,000/- he has already deposited Rs.5,00,000/- before the said order dated 16/12/2020 was passed and after the said order he had deposited Rs.10,00,000/-. He further submitted that the Applicant has deposited Rs.3,00,000/- yesterday before the learned trial Court. Thus, according to him out of Rs.35,00,000/- he has deposited Rs.18,00,000/- and balance amount is Rs.17,00,000/-.

4. Learned Counsel for the Applicant submitted that he has taken hand loan from few individuals and he will get that amount by Monday i.e. 15/11/2021. He has produced photo-copies of cheques of Rs.2,00,000/- dated 9/11/2021 issued by Mr.Deepak Madhukar Lohar in favour of the Applicant and Rs.1,50,000/- dated 9/11/2021 issued by Mr.Mahesh Kundan Ped in favour of the Applicant. Thus, he submitted that aggregate amount of Rs.3,50,000/- of the said cheques can be deposited in the trial Court on or before 17/11/2021. He then submitted that the Applicant had already executed agreement to sale dated 3/11/2021 of his flat being Flat No.202, C-Wing, Mauje Kulgaon, Taluka Ambarnath, District Thane with Mr.Pradeep Prabhakar Salgarkar and Mrs.Krushna Pradeep Salgarkar and as soon as consideration is received by him from said purchasers, he will deposit balance amount in the trial Court. He also submitted that said purchasers have paid Rs.2,95,000/- as earnest money by cheque dated 12/11/2021 and, therefore, he will be in a position to deposit said amount of Rs.2,95,000/- in the trial Court on or before 22/11/2021. If all these payments are taken into consideration then balance amount will be

Rs.10,55,000/- which the Applicant undertakes to deposit on or before 31/12/2021.

5. In view of this the time granted by order dated 16/12/2020 to deposit the amount is extended upto 31/12/2021. It is expressly made clear that if the amounts are not deposited in the aforesaid manner and if there is default in payment of any of the aforesaid amounts then protection granted to the Applicant shall cease to operate and the Investigating Officer will be at liberty to take the Applicant in custody.

6. The Application is disposed of in the above terms.

**[MADHAV JAMDAR, J.]**