

Esha

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 90 OF 2022

IN

CRIMINAL MISC. APPLICATION NO. 627 OF 2022 (F)

PRAVIN BORATE, THR. SHYAM

SHANTARAM KORGAONKAR ... APPLICANT

VS

THE STATE OF GOA THR. ANJUNA

POLICE INSPECTOR AND ANR. ... RESPONDENTS

Ms. A. Agni, Senior Advocate with Ms. Rajlaxmi Bhatkar,
Advocate for the Applicant.

Mr. S.G. Bhobe, Public Prosecutor for the Respondents.

CORAM: BHARAT P. DESHPANDE, J.

DATED: 28 DECEMBER 2022

P.C.:

1. Heard learned Senior Counsel Ms. Agni for the applicant and Mr. Bhobe, learned Public Prosecutor for the State.

2. By way of the present application, the applicant is seeking a further extension of 90 days to surrender. Interim bail was granted to the applicant vide order dated 14 July 2022, initially

for a period of 90 days, for a purpose of surgery. Thereafter vide Criminal Miscellaneous Application (F) No. 627/2022, the applicant requested for further time of 90 days and vide order dated 17 October 2022, such time was extended and the applicant was directed to surrender on 1 January 2023.

3. Learned Senior Counsel Ms. Agni would submit that though the applicant has undergone surgery, the Doctor has issued a certificate dated 21 December 2022 stating that the applicant has developed post-operative arthritis and knee stiffness and is required to rest for three months along with physiotherapy treatment.

4. Mr. Bhobe, learned Public Prosecutor opposed the application on the ground that vide order dated 17 October 2022, it was made very clear that no further extension would be granted.

5. Since the applicant has already undergone surgery and thereafter period for surrendering was extended by three months, further extension is not at all warranted. The Jail Authorities are having a full-fledged hospital and if required, the inmate is taken to the respective Government hospital for treatment. Therefore,

post-operative care is available and therefore, an extension on the said ground cannot be granted.

6. Considering the above observation, no case is made out for a grant of further extension. The Application is therefore dismissed.

BHARAT P. DESHPANDE, J.

VAIGANKAR
ESHA SAINATH

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