

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1787 OF 2022****IN****INTERIM APPLICATION NO. 921 OF 2022****IN****CRIMINAL APPEAL NO.272 OF 2022**

Shahavaiz Fakruddin Shaikh

.....Applicant

Vs.

The State Of Maharashtra

.....Respondent

Mr. Manish Gaikwad for the Applicant.

Mr. S.S. Hulke APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 1st JULY, 2022.****P.C.:-**

This is an Application for extension of time by four weeks to furnish sureties.

2 Record indicates that, by an Order dated 17th March, 2022, the substantive sentence imposed upon the Applicant was suspended and he was released on bail on his executing PR. bond of Rs.20,000/- with one or more sureties in the like amount.

By the said Order, this Court permitted the Applicant to furnish cash bail in the sum of Rs.20,000/- for a period of ten weeks in lieu of sureties and directed to complete the process of furnishing sureties.

3 It is an admitted fact on record and even the learned Advocate for the Applicant admits across the bar that, till today the Applicant did not

even submit documents of the concerned sureties before the Trial Court. Therefore, the Trial Court could not send those documents for verification as per the provisions of law. It was submitted before this Court that, the Applicant was not properly advised by the concerned Advocate who entrusted with the brief to submit the sureties and therefore there is a delay in complying with the said Order.

4 In view thereof, this Court is of the opinion that, for want of promptness at the behest of the Applicant in complying with the Order dated 17th March, 2022, he does not deserve any leniency. However at the profused pleadings of the learned Advocate for the Applicant, this Court is inclined to extend the said period by 12 weeks from today subject to condition that, the Applicant shall pay a cost of Rs.10,000/- to the Kirtikar Law Library, High Court, Mumbai within a period of one week from today.

Subject to payment of said cost within stipulated period, the period to furnish sureties is hereby extended by 12 weeks from today.

5 It is made clear that, if the Applicant fails to pay the said cost to the said Library within stipulated period, the present Application shall stand dismissed and extension of time to furnish sureties shall cease to remain in force.

6 Application is accordingly allowed in terms of prayer clause (a).

(A.S. GADKARI, J.)