

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

INTERIM APPLICATION NO. 2987 OF 2022

IN

CRIMINAL WRIT PETITION NO. 838 OF 2022

WITH

INTERIM APPLICATION NO. 2993 OF 2022

IN

CRIMINAL WRIT PETITION NO. 839 OF 2022

WITH

INTERIM APPLICATION NO. 2992 OF 2022

IN

CRIMINAL WRIT PETITION NO. 843 OF 2022

Rajabhau Babasaheb Shinde And Anr.

...Petitioners

Versus

Kanyalal Rewachand Mirani And Ors.

...Respondents

INTERIM APPLICATION NO. 2990 OF 2022

IN

CRIMINAL WRIT PETITION NO. 842 OF 2022

WITH

INTERIM APPLICATION NO. 2988 OF 2022

IN

CRIMINAL WRIT PETITION NO. 841 OF 2022

WITH

INTERIM APPLICATION NO. 2989 OF 2022

IN

CRIMINAL WRIT PETITION NO. 840 OF 2022

WITH

INTERIM APPLICATION NO. 2985 OF 2022

IN

CRIMINAL WRIT PETITION NO. 844 OF 2022

Rajabhau Babasaheb Shinde And Anr.

...Petitioners

Versus

Rakhi Kanyalal Mirani And Ors.

...Respondents

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Mr. Pramod N. Patil, a/w Mr. Ajit Hon, Ms. Komal Mestry, Mr. Shyamsundar S. i/by PNP & Associates, Advocate for the Applicant.
 Mr. Balawant A. Parmar i/by Ms. Divya B. Parmar, Advocate for the Respondent in All Interim Applications.
 Mr. A.R. Patil, APP for the Respondent – State in all Interim Applications.

CORAM : PRAKASH D. NAIK, J.
DATE : 14th SEPTEMBER, 2022.

PER COURT:

1. Heard both sides.
2. The applicants are seeking extension of time by four weeks to deposit 20% of compensation amount.
3. The applicants are convicted for offence under Section 138 of Negotiable Instruments Act. The applicants preferred appeal challenging the Judgment of conviction before Sessions Court. The Sentence of imprisonment was suspended by order dated 15th February, 2022 and the applicants were directed to deposit 20% of amount of compensation within 60 days. The said order was challenged by applicants by preferring aforesaid petitions before this Court. All the petitions were dismissed by this Court by order dated 21st June, 2022. However, 60 days time was granted from 21st June, 2022 to the applicants to deposit the compensation amount. Hearing of appeals was expedited.

4. Learned Advocate for applicants submitted that time to deposit compensation amount be extended by four weeks. The applicants are expecting funds.

5. Learned Advocate for respondents opposed the extension of time. This Court had granted 60 days to deposit the amount. The applicants have not deposited the amount. The Sessions Court had granted 60 days time vide order dated 15th February, 2022. The period of 60 days is over long ago. Time to deposit compensation cannot be granted beyond statutory period. The applicants were granted sufficient time. Without depositing amount, the applicants are insisting for hearing of appeals. The applicants are avoiding deposit of compensation amount.

6. By way of indulgence and as a last chance, the applicants are granted four four weeks time to deposit the compensation amount.

ORDER

i. Time to deposit compensation amount as directed by Sessions Court is further extended by four weeks.

ii. No further extension would be granted.

iii. The Sessions Court shall not proceed with hearing of appeals preferred by applicants without the entire 20% amount is deposited by applicants.

iv. All Applications are disposed off.

(PRAKASH D. NAIK, J.)