

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

**INTERIM APPLICATION NO.54 OF 2022
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2667 OF 2019
WITH
INTERIM APPLICATION NO.58 OF 2022
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1142 OF 2020
WITH
INTERIM APPLICATION NO.59 OF 2022
IN
CRIMINAL APPLICATION NO.380 OF 2019**

Ms.Parumeeta Vijjan Chakravarti ... Applicant

Vs.

The State of Maharashtra & Anr. ... Respondents

Mr.Mubin Solakar i/b Mr.Aamir F. Sopariwala for the Applicant.

Mr.R.M. Pethe, APP for the Respondent –State.

Mr.R.A. Shaikh for Respondent No.2.

CORAM : C.V. BHADANG, J.

**DATE : 6 JANUARY 2022
(Through Video Conferencing)**

P.C.

. Heard learned counsel for the parties.

2. This is an application for further extension of time to surrender. While refusing to grant anticipatory bail, time was granted to the Applicant to surrender. Last of such period expired on 29 December 2021, when the Applicant did not

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surrender in spite of a specific undertaking filed before this Court. The extension is sought again on the medical ground.

3. Although Mr.Solkar, the learned counsel for the Applicant fairly submitted that the MRI report dated 15 December 2021 was already pressed into service while seeking earlier extension. Reliance is now placed on the certificate dated 18 December 2021 from Dr.Aditya Khemka who is an Orthopedic Surgeon stating that the Applicant requires a orthopedic surgery and for that purpose requires hospitalization which could not be done as her physiological parameters including sugar level were not normal.

4. It is however, not shown as to why from 18 December 2021 till today the Applicant did not get herself admitted.

5. Be that as it may the learned counsel for the Applicant submitted that time may be extended as a final chance and the Applicant will file fresh undertaking to surrender on such date as this Court may direct without seeking any further extension.

6. The learned counsel submitted that he has specific instructions to state that in the event the Applicant requires continued medical treatment, even after such time, as the Court

may grant, the Applicant is willing to go for such treatment while in custody and will not seek any extension.

7. Mr. Shaikh, the learned counsel for the Respondent-Complainant has objected to the prayer for the extension. It is submitted that the Applicant has failed to abide by the condition of surrender on multiple occasion, and no case is made out for extension of time.

8. I have given my anxious consideration to the rival circumstances and the submissions made. As noticed earlier, the Applicant could have got admitted on 18 December 2021 as advised by the Orthopedic Surgeon. However, considering the present medical/health condition of the Applicant and in order to give her a fair chance and to see that the issue is set at rest, finally, time to surrender is extended till 31 January 2022, subject to the undertaking as stated earlier being filed within one week from today.

9. In the event of failure to file the undertaking, the order granting extension of time, shall stand vacated without referent to the Court.

10. The Criminal Applications are disposed of in the aforesaid terms.

11. Stand over to 11 January 2022 for reporting compliance.

C.V. BHADANG, J.