

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

**INTERIM APPLICATION NO. 4293 OF 2022
IN
CRIMINAL APPEAL NO. 126 OF 2020**

Narayandas @ Narubhai @ Narendra
Laxmidas Thakkar

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr. Rahul Arote for Applicant.

Mr. S. R. Agarkar, APP for State/Respondent No.1.

CORAM : SARANG V. KOTWAL, J.

DATE : 10 JANUARY 2023

PC :

1. This is an application for modification of Clause (i) of the order dated 15/04/2020. The said order was passed in Interim application in Criminal Appeal No.126 of 2020. The Applicant was granted bail pending final disposal of the Appeal. Said clause reads thus:-

“Pending the final disposal of the appeal, the execution of the substantive sentences stand suspended on applicant furnishing P R. bond in the sum of Rs.50,000/- with two solvent sureties in the

like amount to the satisfaction of the learned Additional Sessions Judge and Special Judge (MPID Act), Thane.”

2. Learned counsel for the applicant submitted that, he had submitted two solvent sureties as directed. However, one of the sureties Mr. Dinesh Thakkar expired in the meantime on 28/10/2022. Learned counsel is, therefore, praying for modification of that particular clause, so that, the other solvent surety furnished by him should be sufficient. He invited my attention to a similar order passed arising out of the same case in respect of son of the applicant. That order is at Exhibit ‘D’ of this application; which was passed on 18/08/2020. At that time, learned APP had not raised any objection for grant of such relief.

3. Considering this background, the application can be allowed. The applicant is more than 75 year old.

4. Hence, the following order:

ORDER

i) The Clause (i) of the order dated 15/04/2020

which is the subject matter of this particular application is modified.

- ii) The Applicant is permitted to furnish one solvent surety in stead of two solvent sureties in the sum of Rs.50,000/- which the applicant has already furnished.
- iii) With this observation the application is disposed of.

(SARANG V. KOTWAL, J.)