

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPP) NO.763 OF 2023

IN

CRIMINAL APPLICATION (BA) NO.1112 OF 2022

Yashwant s/o Madhavrao Ingle Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri G.S. Gour, Advocate for applicant.

Shri I.J. Damle, APP for non-applicant/State.

CORAM : ANIL L. PANSARE, J.

DATE : MAY 03, 2023.

By present application, the applicant is seeking extension of time to surrender before the trial Court.

2. This Court vide order dated 19.04.2023 in Criminal Application (BA) No.1112 of 2022 has rejected the application filed under Section 439 of the Code of Criminal Procedure, 1973 (for short, 'Code') and has directed the applicant to surrender before the trial Court within 15 days from the date of order.

3. Learned counsel for the applicant submits that 04.05.2023 will be the 15th day, however, the investigating officer has issued letter to the applicant mentioning therein that he should surrender by 03.05.2023 i.e. today.

4. To my mind, if the order is passed on 19.04.2023, the

15th day would be 04.05.2023 and not 03.05.2023.

5. It appears that the applicant has already preferred Special Leave Petition before the Hon'ble Supreme Court on 28.04.2023. Since the applicant has approached the Hon'ble Supreme Court he has remedy to seek appropriate relief. I, therefore, do not feel it necessary to extend the time as requested. The application is accordingly rejected.

(Anil L. Pansare, J.)

Wagh