



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 835 OF 2024
IN
CRIMINAL APPEAL NO. 751 OF 2004

Ramrao Jijaram Gaikwad
Age 63 years, Occ- Labour,
Talathi Sajja Gowardhan,
Taluka Paralivaijnath,
District Beed.
Now R/o. Kodgaon (Sabla),
Tq.- Paralivaijnath,
Dist- Beed.

... Applicant

Versus

The State of Maharashtra
through Shri G. D. Deshmukh,
Deputy Superintendent of Police,
Anti Corruption Bureau, Beed,
District Beed.

... Respondent

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Mr. B. R. Warma, Advocate for the Applicant.
Mr. S. M. Ganachari, APP for Respondent-State.

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 21 FEBRUARY 2024

PER COURT :-

1. Not on board. Upon mentioning, taken on board.
2. The applicant, who is convict for offence punishable under Sections 7, 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988 [PC Act], had preferred Criminal Appeal No. 751 of 2004 before

this Court and vide judgment and order dated 16.02.2024, said appeal has been dismissed. While dismissing the said appeal, the Superintendent of Police, Beed was directed to see that accused applicant surrenders to undergo sentence as ordered by the learned Special Judge, Ambajogai in Special Case (A.C.) No.1 of 2002 on 26.10.2004 forthwith and to send compliance report to this court within two weeks from the date of receipt of said judgment.

3. Now, vide instant application, the applicant/appellant is seeking four weeks time to surrender as per above order of this court dated 16.02.2024 in Criminal Appeal No. 751 of 2004.

4. Learned counsel for the applicant/appellant submits that applicant is dismissed from services and as such, lost the source of income. At present, the applicant and his wife are doing labour work to make the both ends meet. He submits that some time would be required for the applicant to seek relief by filing Special Leave Petition before the Hon'ble Apex Court and to arrange funds for the same. He further submits that applicant also needs time to arrange basic need for his wife in case no relief is secured in SLP and for all above reasons he prays that four weeks time be granted to the applicant to surrender.

5. Considering the above submissions and the reasons mentioned in the application, it would be appropriate to grant four weeks time to the applicant to surrender as per the order dated 16.02.2024 in Criminal Appeal No. 751 of 2004. Hence, I proceed to pass the following order:

ORDER

- I. The application is allowed.

- II. The effect, implementation and operation of the judgment and order dated 16.02.2024 passed by this court in Criminal Appeal No. 751 of 2004 is stayed till 20.03.2024.

[ABHAY S. WAGHWASE, J.]

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