



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 4499 OF 2024
IN
CRIMINAL REVISION APPLICATION NO.203 OF 2007**

Ravindra Dnyanoba Salunke,
Age : 56 years, Occu. : Service,
R/o. Jawahar Colony, Tuljapur,
Tq. Tuljapur, Dist. Osmanabad.

... Applicant

Versus

The State of Maharashtra

... Respondent.

....

Ms. Sheetal Vilas Salunke, Advocate for Applicant.
Ms. Ashlesha S. Deshmukh, APP for Respondent – State.

....

CORAM : ABHAY S. WAGHWASE, J.

DATED : 11 NOVEMBER 2024

PER COURT :-

1. Not on board. Matter is taken up on mentioning.
2. This is an application for extension of time to surrender before learned trial Court as per judgment and order dated 22.10.2024.
3. Learned counsel Ms. Sheetal Salunke for applicant pointed out that, applicant stood convicted by this court by judgment and order dated 22.10.2024 in Criminal Revision Application No. 203 of 2007 and the said court directed applicant to surrender before trial

court on 12.11.2024 to suffer sentence. She pointed out that, shortly after receipt of copy of order, Diwali vacation commenced and therefore attempt could not be made to seek time to surrender and hence present application.

4. She pointed out that, exception is taken to the judgment and order of this court in Criminal Revision Application No.203 of 2007 dated 22.10.2024 by approaching the Hon'ble Apex Court. However, due to vacation, exercise of taking extension of time to surrender could not be taken and therefore now time to surrender is sought, which is pointed out, is given by this court upto 12.11.2024 i.e. tomorrow itself. In the interest of fair opportunity and as there are chances of succeeding in appeal, above relief is pressed into service.

5. Learned APP objected on the ground that order is of 22.10.2024. That, no efforts were done to seek time when order was pronounced. However, she fairly conceded that appropriate order as desired of this court be passed.

6. After considering the submissions and on going through the papers, it seems that, applicant had moved Criminal Revision Application No. 203 of 2007, questioning the order of Chief Judicial

Magistrate, Osmanabad dated 18.02.2002 as well as judgment of learned Additional Sessions Judge, Osmanabad passed in Appeal No.5 of 2002 dated 21.08.2007. This court by order dated 22.10.2024, seems to have partly allowed the Revision Application. However, by virtue of clause (iv) of the operative part of order, applicant is directed to surrender before the learned trial court on 12.11.2024 to undergo the sentence. Admittedly, said date falls tomorrow. Statement is made across the bar that, the applicant has already preferred proceeding bearing e-filing No.ECSCIN01392812024 with Diary No.51979 of 2024 before the Hon'ble Apex Court assailing the order of this court.

7. Taking the above submissions into consideration, as application has already questions the order of this court before the Hon'ble Apex Court and as time to surrender is apparently granted only till tomorrow i.e.12.11.2024, further period to surrender deserves to be granted.

8. Time to surrender is hereby extended by three weeks from tomorrow.

9. The criminal application is disposed of.

[ABHAY S. WAGHWASE, J.]