

Sayali Upasani

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

CRIMINAL APPLICATION NO. 925 OF 2023

Kamlesh Lalji Shah @ Kalu	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. S. D. Kho with Anthony Nadar, Ms. Shambavi Desai and
Mr. Danish Patel, for Applicant.

Mr. S. R. Aagarkar, APP for State/Respondent.

Mr. Sarkte, PSI, MRA Marg Police Station.

CORAM:- N. J. JAMADAR, J.

DATED:- 30th JANUARY, 2024.

PC:-

- 1) Heard the learned Counsel for the applicant and the learned APP for the State.
- 2) The applicant seeks relaxation of the condition of furnishing surety.
- 3) The learned Sessions Judge while releasing the applicant had directed the applicant to furnish surety bond of Rs.50,000/-, with one or more sureties.

- 4) The learned Counsel for the applicant submitted that the applicant is a permanent resident of Mumbai. The applicant, being a Hawker, finds it difficult to furnish surety. Instead the applicant be permitted to furnish cash security.
- 5) Prima facie, it appears that the applicant has roots in society and has credentials to support the claim that he is a permanent resident of Mumbai.
- 6) In the circumstances, the application stands allowed.
- 7) The applicant is permitted to furnish cash security of Rs.50,000/- in lieu of surety.
- 8) The application stands disposed.

[N. J. JAMADAR, J.]