

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

CRIMINAL APPLICATION NO. 1172 OF 2023

Jeetendra Thomara Pujary. ...Applicant
vs.
The State of Maharashtra & Anr. ...Respondent.

Mr. R. Sathyanarayanan a/w. Mr. Neeraj Yadav and Mr. Prathamesh N, advocate for the applicant.

Ms. Supriya Kak, APP, for the Respondent No. 1/State.

Ms. Zeenat Pirani i/b. Pirani & Co., advocate for Respondent No. 2.

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**CORAM : N. J. JAMADAR, J.
DATE : MAY 6, 2024**

P.C.:

1. Heard the learned Counsel for the applicant, the learned APP and the learned Counsel for the Respondent No. 2.
2. Mr. Sathyanarayanan, learned Counsel for the applicant fairly submits that the applicant could not deposit the balance amount as undertaken. By an order dated 15th September, 2023 upon a statement made on behalf of the applicant that the applicant would deposit Rs. 10 Lakhs in the Appellate Court and the remaining amount of Rs. 18 Lakhs, which constitutes 25% of the compensation amount, as ordered to be deposited by the Appellate Court, would be deposited within a period of 6 weeks from that date interim relief was granted. The applicant has

deposited an amount of Rs. 10 Lakhs. However, the balance amount of Rs. 18 Lakhs was not deposited within the said period.

3. In the month of December 2023, further time was sought. Thus, time was extended by period of 2 weeks.

4. On 29th April, 2024 by way of indulgence, one week's time was granted to the applicant to deposit the amount.

5. In the aforesaid view of the matter, as the applicant could not deposit the amount despite sufficient time having been provided to the applicant, the interim order passed by this Court on 15th September, 2023 deserves to be vacated.

6. In view of the above, the application stands disposed of.

7. The interim order is thus vacated.

8. Mr. Sathyanarayanan submits that as the applicant could not deposit the balance amount of Rs. 18 Lakhs on account of financial constraints, the Appellate Court may be requested to decide the appeal expeditiously. The necessary corollary of the order passed by this Court would be that the applicant/appellant may be taken into custody. In that event, it may be expedient that the appeal is heard expeditiously.

(N. J. JAMADAR, J.)

