

Shailaja

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

**INTERIM APPLICATION NO.4662 OF 2023
a/w
INTERIM APPLICATION NO.2701 OF 2023
IN
CRIMINAL BAIL APPLICATION NO. 2530 OF 2021**

Mohd. Jabbar Usman Gani Shaikh	]	Applicant
Vs.		
The State of Maharashtra	]	Respondent

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Mr. S.K. Singh a/w Mr. S.A. Mazgaonkar, for Applicant.

Mr. Ashish Satpute, A.P.P., for Respondent – State.

P.S.I Khaire, Oshiwara Police Station.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 23rd FEBRUARY, 2024.

P.C.

1. Interim Application No.4662 of 2023 has been preferred by the applicant seeking relaxation /modification of paragraph No.3 of the order dated 6th October, 2021 in Criminal Bail Application No.2530 of 2021 passed by this Court (Coram: Nitin W. Sambre, J.) which reads thus;

“3. Counsel for the applicant, on instructions, submits that an amount of Rs.1.00 Lakh will be

deposited with the I.O within a period of two weeks from today. Since the statement is made on instructions, same is accepted as an undertaking”.

2. Interim Application No.2701 of 2023 has been preferred by the applicant seeking his release on bail so as to enable him to deposit an amount of Rs.1,00,000/- in installments as directed by his Court vide an order dated 6th October, 2021.

3. Both the applications are rejected on the following grounds.

4. Firstly, at the time of granting bail by this Court way back on 6th October, 2021, Counsel for the applicant made a statement before this Court that he will deposit Rs.1,00,000/- with the Investigating Officer within two weeks from 6th October, 2021. The said statement was accepted as an undertaking which has already been breached by the applicant – accused. He did not deposit Rs.1,00,000/- even today after lapse of more than three years.

5. Since the applicant has already breached the undertaking, order granting him bail stands revoked.

6. The trial Court is directed to expedite hearing of the case and shall frame a charge within four weeks from the date of receipt of this order.

7. Issue show cause notice to the applicant as to why he should not be prosecuted for committing contempt of this Court returnable on **15th March, 2024**.

8. Interim Application No.4772 of 2023 and Interim Application No.2701 of 2023 stand disposed of.

[PRITHVIRAJ K. CHAVAN, J.]