



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

20 CRIMINAL APPLICATION NO. 646 OF 2025
IN APPLN/3419/2023

SARWAR ASLAM SHAIKH AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. Shaikh Mazhar A. Jahagirdar, Advocate for Applicants.
Mr. A. R. Kale, APP for Respondent/State.
...

CORAM : SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.
DATE : 05 MARCH 2025

ORDER :

. Present application has been filed for permitting the applicants to deposit the cost amount of Rs.90,000/- which was imposed by this Court while passing the order in Criminal Application No.3419 of 2023 on 24.09.2024.

2. Important point to be noted is that the said matter was compromised and by the said order this Court had allowed the application and quashed the charge-sheet i.e. proceedings in Regular Criminal Case No.1514 of 2021 before the learned Chief Judicial Magistrate, Ahmednagar. Each of the applicant was directed to deposit amount of Rs.10,000/- to the High Court

Legal Services Sub Committee, Aurangabad on or before 10.10.2024. Thereafter, the matter was placed for compliance on many occasions, but there was no compliance at all. Thereafter, by order dated 22.11.2024, when the order was not complied with, this Court had recalled the order that was passed in the Criminal Application No.3419 of 2023 and restored the proceedings before the learned Chief Judicial Magistrate, Ahmednagar.

3. Now, the applicants are coming with a case that they be allowed to deposit the cost amount i.e. Demand Draft to the High Court Legal Service Sub Committee, Aurangabad. The applicants are contending that due to financial crunches and medical reasons, they could not deposit the amount earlier. It is to be noted that occupation of all the applicants is business and still they are saying that there was financial crunch. We are not accepting the reason, however, since the compromise had taken place and this Court had allowed the main application, we permit the applicants to deposit the amount of cost i.e. the Demand Draft to the High Court Legal Services Sub Committee, Aurangabad. However, along with that they should also deposit further amount of Rs.10,000/- for misleading the Court and

unnecessary taking time of the Court. The demand draft as well as the cash amount be paid within a period of one week from today.

4. We make it clear that if the remaining amount of Rs.10,000/- is not deposited, it would be recovered as arrears of land revenue from the applicants.

5. Accordingly, the application stands disposed of.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm