

IN THE SPECIAL COURT FOR CBI AT GREATER BOMBAY

ORDER BELOW EXH.16

IN

CBI SPECIAL CASE NO. 1648/2021
(CNR No. MHCC020164572021)

Shailesh Shantaram Borkar

..Applicant/A-5

V/S.

Central Bureau of Investigation

...Respondent.

**CORAM: S.P. NAIK-NIMBALKAR
SPECIAL JUDGE (CBI)
(COURT ROOM NO.51)**

DATE : 19.7.2024.

Appearance :-

Ld. Adv. Mr Sandesh Kamble for applicant/accused.

Ld. SPP Mr. CJ Nandode for CBI.

ORAL ORDER

1. This is an application filed by the applicant/accused for permission to furnish provisional bond in lieu of surety.

2. It is submitted that, the applicant/accused was directed to execute a Bond u/s.88 of Cr.PC., subject to other conditions. This application is filed by the applicant to furnish bond in lieu of surety and prayed that, eight weeks time be granted to furnish surety, and that, he is going to deposit the cash security of Rs.1,00,000/- today.

3. CBI has filed say on the application and has submitted that, the application is strongly objected. It is submitted that, the court may pass appropriate orders, in the interest of justice.

4. Heard both sides. Ld. Advocate for the applicant and Ld. PP for CBI have submitted as per their respective contentions.

5. The accused is charge sheeted for the offence punishable u/s.120B r/w. 420 of Indian Penal Code and Sec. 13(2) r/w.13(1)(d) of Prevention of Corruption Act, 1988. In view to the issuance of process order, summons was issued to the accused to appear today before this Court. Pursuant to the summons, the accused has appeared. In the first Sessions, the accused was directed to execute a Bond u/s. 88 of Cr.P.C. for an amount of Rs.1,00,000/- and one or two surety/ies in the like amount.

6. It is the fact of common knowledge that in the city like Mumbai, it is usually time consuming to get solvency certificate. So also, the case is at pre-trial stage. Permanent address of the accused as reflected in Aadhar Card is submitted on record. The accused is ready to obey all other conditions imposed on him. Hence, I proceed to pass the following order :-

ORDER

1. Application (Exh.16) is partly allowed.
2. Four weeks time is granted to the applicant/accused to comply with the condition of furnishing solvent surety/ies of Rs.1,00,000/-.
3. In the meantime, the applicant/accused to deposit Rs.1,00,000/- as cash security to this application.
4. Registrar(S) to accept Rs.1,00,000/- from the applicant/accused on proper identification even after closing of treasury hours.
5. All other conditions in the order below Exh.9 to remain intact.

(Application is disposed of accordingly) .



Date- 19.7.2024

Typed on 20.7.2024.

Signed by HHJ on 20.7.2024

(S.P. NAIK-NIMBALKAR)

Special Judge (CBI)

Gr. Bombay (CR 51)

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

Date 20.7.2024 at 5.41 pm

(Nitin V. Ubale)

UPLOAD DATE AND TIME

Selection Gr. Stenographer(Gr.1)

Name of the Judge (With Court room no.)	H.H.J. Shri. S. P. Naik-Nimbalkar (C.R. No. 51)
Date of Pronouncement of JUDGMENT/ ORDER	19.7.2024
JUDGMENT/ORDER signed by P.O. on	20.7.2024
JUDGMENT/ORDER uploaded on	20.7.2024