

MHCC020086832024



**IN THE COURT OF SESSIONS FOR GREATER BOMBAY
AT MUMBAI**

**CRIMINAL MISCELLANEOUS APPLICATION NO. 1145 OF 2024
IN
CRIMINAL BAIL APPLICATION NO.1059 OF 2024
(CNR NO.: MHCC02-008683-2024)**

Ishit Alkesh Mehta

Age:- 34 years, Occ.:- Business
Address - 15 Nand Bhuvan Bajaj Road,
Vile Parle West, Mumbai- 400056

...Applicant/Accused

V/s.

The State of Maharashtra,

(At the instance of Pantnagar
Police Station vide C.R.No.26/2024)

...Respondent/State.

Appearance:-

Ld. Advocate Aditya Gole for the applicant/accused.

Ld. S. P.P. S.V. Kekanis and Ld. S.P.P. Manisha J. Parmar for the
State/respondent.

**CORAM : H.H. THE ADDL. SESSIONS JUDGE
S.M. TAPKIRE (C.R.60)**

DATE : 30.07.2024.

ORDER

1. This is an application preferred under Section 439(1)(b) of the Code of Criminal Procedure, 1973 (hereinafter referred to as Cr.PC) for modification/reduction of saddled surety amount and extension of time for surety compliance.

2. The respondent/state has strongly opposed to the plea of modification raised by the applicant on various grounds by filing their written say/submission at Exh-3.

3. Perused the application, plea submissions, grounds raised therein coupled with the documents placed reliance by the applicant. Also, perused the written say/objection of respondent/state. Heard Ld. Advocate for the applicant and the Ld. S.P.P. for respondent/state.

4. Taking into consideration the rival submissions contentions record material would reveal the applicant is seeking the relief of modification/reduction of surety amount saddled in the order dated 09.05.2024 in Criminal Bail Application No.1059 of 2024, thereby he is directed to execute a P.R. bond of Rs.10,00,000/- (Rupees Ten Lakhs Only) and one or two solvent sureties in the like amount. In that regard his submission that though his bail plea is allowed by order dated 09.05.2024, he could not make surety compliance. As considered that serious in natures economic crime committed by him. He is ready to follow and abide all other conditions. He can arrange the surety amount upto Rs.5,00,000/- by one or two solvent sureties. He also request to extend the time for surety compliance as he has availed the order of

provisional cash bail passed below Exh-7 on 10.05.2024 and the same is duly complied by depositing the said amount before the Ld. Trial Court.

5. The respondent has raised the objections that the amount of surety saddled by considering seriousness gravity of crime involved amount Rs.1,19,10,168/- which is certainly comes under the serious economic crime. His relatives are residing in other country. Thereby strong possibility of his abscondance. They also raised other general objections.

6. In the above circumstance considering the record material availed it revealed the bail plea of applicant pleaded to granted by order dated 09.05.2024 passed in Cri. B.A. 1059 of 2024. Whereby he is directed to execute a P.R. Bond of Rs.10,00,000/- and furnish one or two solvent sureties in the like amount. He is enlarged on provisional cash bail of Rs.10,00,000/-. He has submitted the receipt of depositing provisional cash bail amount with the Ld. Trial Court. His submission is that he is unable to make compliance of huge surety amount. But, he could comply surety of Rs.5,00,000/- instead of Rs.10,00,000/-. The respondent has not raised any serious in natures objections. Thereby I felt the plea of modification/reduction in surety amount as well as extension of time for surety compliance required to be considered prescriptively. With this passed the following order.

:ORDER:

1. The present Criminal Miscellaneous Application No.1145 of 2024 is hereby allowed and disposed of accordingly.

2. The saddled condition no.1.i. in the order dated 09.05.2024 passed in Criminal Bail Application No.1059 of 2024 is hereby modified and set aside as under.

1.i. The applicant Ishit Alkesh Mehta residing at 15, Nanda Bhuvan, Bajaj Road, Vile Parle (West), Mumbai – 400 056 be released on executing a PR Bond of Rs.5,00,000/- (Rupees Five Lakh Only) with furnishing a one or two solvent sureties in the like amount in crime vide C.R.No. 26 of 2024 registered with Pantnagar Police Station, Mumbai, for the offences punishable under Sections 409, 420 r/w 34 of Indian Penal Code, 1860.

3. The applicant is permitted to make surety compliance within period of Four (04) weeks from the date of this order without fail.

4. The rest of saddled conditions in the order dated 09.05.2024 passed in Criminal Bail Application No.1059 of 2024 shall stand as it is.

5. The respondent/state to take note of this order.

Dictated and pronounced in open court



(S.M. Tapkire)
Addl. Sessions Judge
Sessions Court,
Mumbai. C.R. 60

Dictated on : 30.07.2024
Directly typed on : 30.07.2024
Date of sign : 31.07.2024

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

**31/07/2024, 3.20 p.m.
UPLOAD DATE AND TIME**

**Mr. Prasad S. Pednekar
NAME OF STENOGRAPHER**

Name of the Judge (with Court Room No.)	HHJ S.M. Tapkire,(C.R.No.60) Addl. Sessions Judge.,City Civil & Sessions Court, Mumbai.
Date of pronouncement of Judgment/Order	30.07.2024
Order signed by P.O. on	31.07.2024
Order uploaded on	31.07.2024