

**BEFORE THE DESIGNATED COURT UNDER M.P.I.D. ACT
CITY CIVIL & SESSIONS COURT, MUMBAI**

ORDER BELOW EXHIBIT 43
IN
MPID CASE NO.06 of 2018

Ajay Madhav Prabhudesai ...Applicant

Versus

The State of Maharashtra
(At the instance of EOW) ...Respondent

Coram : HHJ Abhijeet A. Nandgaonkar
(Court No. 20)

Date : 25.04.2024

Appearance:

Ld. Adv. Aditya Gole for the Applicant.

Ld. A.P.P. Mrs. Sulabha Joshi for Respondent/State.

ORDER

(Dictated and pronounced in open court)

By way of this application, applicant/accused No.2 Ajay Prabhudesai prayed for extension of four weeks time for furnishing surety.

02. Ld. Adv. Aditya Gole submitted that in C.R No. 64 of 2017 registered with EOW, the accused came to be arrested on 15.01.2018 and was granted bail by order dated 26.04.2018 in Criminal Bail Application No. 192 of 2018. He was directed to furnish surety along with cash bail of Rs.1 Lakhs. However, accused sought extension of time for furnish of surety which was granted by this Court from time to time. Due to deposit of heavy cash surety of Rs. 1 Lakhs he is ready to not to

retrieve the said amount till final disposal of MPID Case No. 06 of 2018 pending before this Court. The applicant is diligently keeping himself available during the trial and being permanent resident will not flee away and secure his presence from time to time. Therefore, modification of order which was allowed for furnishing surety required to be complied but as surety furnished was objected by department being already stood as surety and his ration card was cancelled, the accused has to furnish fresh surety. Hence, seeking extension of four weeks time and prayed to allow this application.

03. Say of Ld. APP was called. Ld. APP filed say on overleaf the application and opposed the same by submitting that bail order has been passed in the year 2018 since then the accused was on provisional cash bail. Now he seek time for four week. Hence, necessary order be passed.

04. Heard Ld. Adv. Aditya Gole for applicant and Ld. APP Mrs. Sulabha Joshi for State. Perused submissions of both sides.

05. The reason mentioned is just and proper. Surety was not solvent in view of objection raised by department and therefore the applicant to furnish fresh surety. Hence, in the interest of justice, application is required to be allowed whereby applicant/accused need to be permitted to furnish surety by extending period for four weeks from today. Hence I proceed to pass following order.

ORDER

1. Application Exh.43 in MPID Case No.06 of 2018 is allowed thereby the applicant is permitted to furnish surety by extending period for four weeks from today.
2. Compliance be reported.

3. Accordingly, application Exh.43 in MPID Case No.06 of 2018 is disposed off.

(Abhijeet A. Nandgaonkar)
Designated Judge and
Addl. Sessions Judge,
City Civil & Sessions Court,
Gr. Bombay.(C.R.No.20)

Date : 25.04.2024

Dictated on :25.04.2024
Transcribed on :25.04.2024
Checked on :25.04.2024
Signed on :25.04.2024

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

UPLOAD DATE AND TIME
25.04.2024 at 5.05 pm

NAME OF STENOGRAPHER
Mr. Mohit M. Patange

Name of the Judge (with Court Room No.)	HHJ Abhijeet A. Nandgaonkar
Date of Pronouncement of JUDGMENT/ ORDER	25.04.2024
JUDGMENT/ORDER signed by P. O. on	25.04.2024
JUDGMENT/ORDER uploaded on	25.04.2024