

24.01.2018 Present: Mr. Rahul Mahajan, Advocate, for the
petitioners-applicants.
Mr. Rajat Chauhan, Law Officer, for the
State/non-applicant.

Cr. MP No. 131 of 2017

On 01.01.2018, this Court had passed the
following order:

“By way of instant application filed under Section 482 of the Code of Criminal Procedure, prayer has been made on behalf of the applicants/petitioners for extension of time to comply with the directions contained in the judgment dated 8.8.2017, passed by this Court, whereby applicants/petitioners were granted time to deposit the amount in terms of order dated 1.6.2017, passed by learned trial Court on or before 31st October, 2017.

2. *Averments contained in the application, suggest that daughter of applicant/petitioner No.2 had to undergo treatment and surgery and thereafter she remained under treatment for quite considerable time at Mumbai, and in this regard he had to incur huge expenditure.*

3. *Mr. Rahul Mahajan, learned counsel representing the applicants/petitioners, while inviting attention of this Court to para-6 of the application, contended that petitioners/applicants had to spend Rs.5,00,000/- on the surgery and treatment of his daughter and as such, was unable to deposit the fine within stipulated time, as fixed by this Court.*

4. *This Court after having perused the previous orders, especially order dated 10.11.2017, sees no occasion to enlarge time, especially when this court taking note of aforesaid explanation rendered by the applicants/petitioners had enlarged time by six weeks on 10.11.2017, this Court while enlarging time had*

categorically observed that in case the petitioners/applicants fails to deposit the amount in terms of judgment dated 8.8.2017, respondent shall be at liberty to get the judgment of the trial court executed. However, in the interest of justice, this Court deems it fit to grant one last opportunity of two weeks, to comply with the judgment dated 8.8.2017, failing which, respondent shall be at liberty to get the judgment of the trail court executed. It is also made clear that no further prayer for extension of time shall be entertained by this Court. The application stands disposed of.”

By way of this application, the applicants pray that as on account of reasons so explained in para-8 of the application, the amount could not be deposited within a period of two weeks, as was directed by this Court vide order, dated 01.01.2018, the applicants be permitted to deposit the amount during the course of the day by way of a draft, which stood prepared by the applicants on 17.01.2018, copy of which stands appended with the application.

Taking into consideration the averments made in the application, the same is allowed and applicants are permitted to deposit the draft during the course of the day, failing which, order passed by this Court on 01.01.2018, shall automatically become operative.

Application stands disposed of in above terms.

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(Ajay Mohan Goel)
Vacation Judge

January 24, 2017
(bhupender)

