



IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE GAJENDRA SINGH

ON THE 17th OF OCTOBER, 2024

MISC. CRIMINAL CASE No. 44258 of 2024

MAHARIYA

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

Shri Yogesh Kumar Gupta - advocate for the applicant.

Shri Mayank Mishra - Panel lawyer for the respondents State.
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ORDER

This petition under Section 528 of the Bhartiya Nagrik Suraksha Sanhita has been filed on behalf of the applicant for extension of time to deposit the enhanced fine amount, as per Paragraph-8 of the judgment dated 26.12.2023 passed in Criminal Appeal No. 414 of 2012.

2. Paragraph-8 of the judgment is reproduced as under :-

"8. Accordingly, this appeal is partly allowed and affirming the conviction of the appellant/accused under Section 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 the sentence is modified and the jail sentence is reduced to the period already undergone i.e. 6 months 4 days and amount of fine of Rs.2000/- is enhanced to Rs.20,000/-. If the appellant/accused fails to deposit the amount of fine within 90 days then he will suffer the sentence of five months RI."

3. It is submitted that due to lack of proper intimation from the counsel the applicant could not able to deposit the requisite enhanced fine amount, within the time limit and suffering the incarceration since



30.09.2024 and undertakes to deposit the enhanced fine amount.

4. On the other hand, counsel for the respondent opposed the prayer.

5. Considering the prayer, the period to deposit the enhanced fine amount is extended for further period of fifteen days, from today. On depositing the enhanced fine amount, within fifteen days, from today, the applicant be released from the concerned jail.

6. A copy of this order be sent to the trial Court concerned for necessary compliance.

7. With the aforesaid, the MCRC stands disposed off.

Certified copy as per rules.

(GAJENDRA SINGH)
JUDGE

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