

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.671 OF 2015
IN
CRIMINAL APPEAL NO.1123 OF 2013**

Virendra Kumar Gupta ...Applicant/Appellant
V/s.
CBI ACB Mumbai & Anr. ...Respondents

Mr. Samar N. Chaudhary a/w Mr.Pravez Upharey,
for the applicant-appellant.
Mr.A.R.Patil, APP for the respondent-State.
Ms.Rebecca Gonsalvez, for respondent no.1.

CORAM : A.R. JOSHI, J.

DATE : 14TH AUGUST 2015

P.C.:

1. This is an application for return of cash deposit of Rs.1 lakh which was deposited with the office of this Court while availing the benefit of the order dated 09th March 2015. By said order the applicant was allowed to go abroad on certain conditions. One of them was to deposit sum of Rs.1 lakh or surety for Rs.1 lakh with the office of this Court and giving the details of his proposed journey and address of residence etc., to the Investigating Officer. On earlier date i.e 11th August 2015 it was

submitted by learned counsel for respondent-CBI that the second condition was not fully complied and no said details were given by the applicant. However, today a statement is made on behalf of the respondent that the said papers were already submitted by the applicant to the office but due to inadvertence they were misplaced and could not be found on the earlier date.

2. Now as the present situation stands, there was a compliance by the applicant of the order dated 09th March 2015 and as such he is entitled for return of cash deposited of Rs.1 lakh. As such office is directed to return back the said amount to the applicant, on his identification.

3. Present application is accordingly disposed of.

(A.R. JOSHI, J.)