

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.694 OF 2015

IN

CRIMINAL APPEAL NO.1084 OF 2013

DASHRATH BHAI MANILAL PATEL

)...INTERVENOR

V/s.

STATE (L.T.MARG POLICE STATION)

)...RESPONDENT

WITH

CRIMINAL APPLICATION NO.93 OF 2015

IN

CRIMINAL APPEAL NO.1084 OF 2013

WITH

CRIMINAL APPEAL NO.1084 OF 2013

WITH

CRIMINAL APPLICATION NO.769 OF 2015

IN

CRIMINAL APPEAL NO.220 OF 2015

WITH

CRIMINAL APPEAL NO.220 OF 2015

Mr.Amit Gharte, Advocate for the Appellant in Criminal Appeal No.1084 of 2013.

Mr.Jagdish Nayar, Advocate for the Applicant in Criminal Application No.694 of 2015.

None for the Appellant in Criminal Appeal No.220 of 2015.

Mr.Deepak Thakre, APP for the Respondent - State.

CORAM : ABHAY M. THIPSAY, J.

DATE : 2nd SEPTEMBER 2015.

P.C. :

1 Heard.

Neither the learned APP nor the counsel for the appellant Mohd.Kasif Irshad Ali (Criminal Appeal No.1084 of 2013) has any objection. None is present for the appellant Rinku Rohtas Khan (Criminal Appeal No.220 of 2015), but, in my opinion, it is not necessary to hear him.

2 I have examined the facts of the case, so far as they relate to the seizure of the said cash amount. I have also gone through the order passed by the learned Sessions Judge, Greater Bombay.

3 It is directed that the cash of Rs.3 Lac (Article 5 Collectively) be returned to PW1 Dashratbhai Manilal Patel as ordered by the learned Sessions Judge, on the condition that he shall give an undertaking to this court that in the event of this

court so directing, he shall cause an equivalent amount of cash to be produced before this court within such time as this court may prescribe.

4 The application is allowed in the aforesaid terms and is disposed of.

5 The appeals are fixed for '**Final Hearing**' on **11th September 2015**.

(ABHAY M. THIPSAY, J.)