

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

CRI. WRIT PETITION NO. 4548 OF 2015

Mr. Azam Ali Khan

... Petitioner.

V/s.

The Senior Inspector of Police & Anr.

... Respondents.

Mr. Rizwan Merchant i/by Rizwan Merchant & Co. for the
Petitioner.

Mr. Deepak Thakre, APP for the State.

CORAM : A.V. NIRGUDE, J.

DATE : 04th DECEMBER, 2015.

P.C. :

Heard. Perused the order dated 4th August, 2014 passed by the learned additional Sessions Judge on anticipatory bail application no.152 of 2014, directing the petitioner/applicant to deposit certain amount with the Registrar of the Sessions Court. The learned Sessions Judge is now aware that the FIR has been quashed and the petitioner/ applicant is entitled for refund of the amount. In view of this, there was no difficulty for the learned Judge to further realize that since the FIR was quashed, there was no criminal case pending between the parties. There was no proceedings before the learned Judge Magistrate. So the refund of the amount was possible only pursuant to the order passed by the Sessions

Court. The Sessions Court shall refund the amount invested in a fixed deposit alongwith the interest, if any, to the petitioner / applicant forthwith.

Writ petition stands disposed of with the above directions.

(A.V. NIRGUDE, J.)

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