

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Criminal Application (APPA) No. 596 of 2015

in

Criminal Appeal No. 434 of 2012

(State of Mah. through P.S.O., PS, Akot, Dist. Akola Vs. Pratik Prafulla
Sanghani and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri A. B. Moon, Advocate for applicant/respondent no. 1
Shri T. A. Mirza, APP for the State/appellant

CORAM : B. R. Gavai and P. B. Varale, JJ.

DATE : 16-9-2015.

By the present application, the applicant/respondent no. 1 prays for direction to the appellant to break open the lock of the house premises and handing over the possession of house premises to the applicant and his sister Payal Prafulla Sanghani.

Learned counsel Shri Moon for the applicant invited our attention to the order dated 18-2-2012 passed by the learned Additional Sessions Judge, Akot and more particularly, para (10) of the operative order. He fairly submits that the appeal filed by the State challenging the order is pending before this Court.

For the reasons stated in the application, the application is allowed in terms of prayer clause (1) subject to filing of an undertaking in this Court by the applicant/respondent no. 1 and his sister Payal Prafulla Sanghani within one week that they will not create third party interest over the property till the

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decision of the appeal.

The application is disposed of in above terms.

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