

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

CRIMINAL APPLICATION NO. 3345 OF 2016

Gokul s/o Pundlik Marathe ...Applicant

VERSUS

Mohan s/o Kanhaiya Marathe
and another ...Respondents

.....
Shri L.V.Sangeet, advocate for applicant
Shri C.V.Dharurkar, A.P.P. for respondent no.2
.....

CORAM : N.W.SAMBRE, J.

DATED : 17th October, 2016

PER COURT :-

Since the amount of goods, which was subject matter of the crime, was ordered to have been deposited in the Court and was accordingly deposited, the interest of present applicant, in my opinion, is already safeguarded. Though Shri Sangeet, learned counsel has strenuously urged that consideration opined by the learned Magistrate that no objection was given by the

A.P.P. and revenue entries qua possession of the applicant have been incorrectly appreciated, it will be inappropriate, in my opinion, to order release of the said amount during pendency of trial in favour of the applicant. The order impugned is holding field since 24.11.2014. In this background, it is appropriate to observe that the learned Magistrate, at the stage of conclusion of trial, shall pass order dealing with the appropriation of the amount deposited in the Court towards the said millet.

2. It will be worth to keep the amount in fixed deposit in any of the Nationalized Bank, till conclusion of trial.

3. With the above observations, the Application stands disposed of.

(N.W.SAMBRE, J.)