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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.382 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.216 OF 2016**

A.Navinchandra Infra Realty Limited
(now A.Navinchandra Infra Realty Pvt. Ltd.) ...Applicant
Versus
Jai Jyotawali Steel Private Limited and Ors. ...Respondents

Ms.Sarojini Patil, i/b Mr.S.P.Pandey, for the Applicant.
Mr.Omprakash Dubey, for Respondent Nos.1 to 3.
Ms.P.P.Shinde, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
DATE : 12th AUGUST, 2016***

P.C. :

. Not on board, taken on board and heard along with Criminal Revision Application No.216 of 2016, which is listed on today's board at Serial No.916.

1. Heard learned Counsel for the applicant, learned counsel for the respondent nos.1 to 3 and the learned A.P.P.

2. By this application, the applicant seeks the following relief:-

1. The Petitioner/Original Complainant prays that this Hon'ble Court may be pleased to order to withdraw Deposited Amount of Rs.8,00,000/- (Rupees Eight Lakhs Only), in the Trial Court.”

3. Learned Counsel for the applicant-original complainant states that the original complainant be permitted to withdraw an amount of Rs.8,00,000/- deposited by the respondent nos.1 to 3 herein, (applicants in Criminal Revision Application No.216 of 2016), in the Trial Court.

4. Learned Counsel for the Respondent Nos.1 to 3 – Original Accused, states on instructions, that the respondent nos.1 to 3, have no objection if the applicant - original complainant, withdraws the said amount of Rs.8,00,000/- deposited by the respondent nos.1 to 3 herein, i.e. applicants in Criminal Revision Application No.216 of 2016, in the Trial Court.

5. Learned Counsel for the Applicant has tendered an undertaking-cum-affidavit of the Applicant stating therein, that in the event the Revision Application is decided against him, he will bring back the said amount of Rs.8,00,000/- without interest, as and when directed by this Court. The said undertaking-cum-affidavit is taken on record and marked 'X' for identification.

6. Accordingly, the applicant-original complainant is permitted to withdraw the amount of Rs.8,00,000/- deposited by the respondent nos.1 to 3 herein, i.e. applicants in Criminal Revision Application No.216 of 2016, in the Trial Court, along with interest accrued, if any thereon.
7. The Application is allowed and disposed of in above terms.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.