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

**CRIMINAL APPLICATION NO.436 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.309 OF 2016**

Subhash Pundlik Pevekar ...Applicant

IN THE MATTER BETWEEN

Madhukar Prabhakar Pimple ...Accused
(Orig. Applicant)

Versus

Subhash Pundlik Pevekar and Anr. ...Respondents

Mr.Dilip B. Shinde, for the Applicant

Mr.Tausif Ansari, for the Original Applicant - Accused.

Ms.P.P.Shinde, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
DATE : 9th AUGUST, 2016***

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks permission to withdraw

a sum of Rs.1 lakh deposited by the original applicant in Criminal Revision Application No.309 of 2016 in the Trial Court. The applicant - Subhash Pundlik Pevekar has tendered an undertaking dated 9th August, 2016, stating therein, that in the event the aforesaid Revision Application is decided in favour of the original applicant - Madhukar Prabhakar Pimple (Applicant in Criminal Revision Application No.309 of 2016), he will bring back the said amount of Rs.1 lakh. The said undertaking is taken on record and marked 'X' for identification.

3. In view of the aforesaid undertaking tendered today by the applicant - Subhash Pundlik Pevekar, the learned counsel for the applicant in Criminal Revision Application No.309 of 2016, states that the original applicant - Madhukar Prabhakar Pimple has no objection to the same.

4. Accordingly, the application is allowed. The applicant - Subhash Pundlik Pevekar is permitted to withdraw the aforesaid amount of Rs.1 lakh, deposited by the original applicant - Madhukar Prabhakar Pimple (Applicant in Criminal Revision Application No.309 of 2016), in

the Trial Court, along with the interest accrued thereon, if any, on furnishing proof of his identity.

5. The Application is allowed and disposed of in above terms.

6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.