

3. The EOW had debit freezed the Bank Account bearing No.06672000000033 on allegation that accused No.1 had transferred crime proceeds to the tune of Rs.28,00,000/- in the said account.

4. By order dated 8th July, 2015 as modified on 23rd July, 2015 we directed Respondent No.3 Bank to de-freeze the said account subject to the Petitioner depositing an amount of Rs.28,00,000/- in this Court. Accordingly, the Petitioner had deposited the amount of Rs.28,00,000/- before this Court. The Registry was directed to invest the same and pursuant to the said order the Registry has invested the said amount.

5. By the present application, the Applicant has sought refund of the said amount on the ground that the Applicant has not been arrayed as an accused in the said crime.

6. Mr. Yagnik, the learned A.P.P. concedes that the Applicant is not arrayed as an accused. He however, submits that the said amount was deposited in the account of the Applicant by the accused No.1. The said amount being crime proceeds may be required by the trial court. He submits that the said amount can be refunded subject to the Managing Director of the Applicant-company furnishing a bond before

the trial court, undertaking to deposit the said amount before the trial court as and when required by the trial court. The learned counsel for the Applicant has no objection to dispose of the application in terms of such directions.

7. We therefore, dispose of this application by passing the following order :

(i) The Applicant is allowed to withdraw an amount of Rs.28,00,000/- with accrued interest thereon subject to the Managing Director of the Applicant company furnishing a bond before the trial court containing an undertaking that the said amount will be deposited before the trial court as and when required by the trial court.

(ii) The registry shall refund the said amount of Rs.28,00,000/- with accrued interest to the Applicant within a period of two weeks from furnishing such bond as stated above before the trial court.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)