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

**CRIMINAL APPLICATION NO.1370 OF 2016
IN
CRIMINAL APPEAL NO.1160 OF 2015**

Mini Gokaldas Shah	... Applicant
Versus	
CBI BS&FC Mumbai and Ors.	...Respondents

Mr.V.N.Shingnapurkar, for the Applicant.

Mr.S.K.Shinde, Special Public Prosecutor, for Respondent No.1-CBI.

Mr.A.R.Kapadnis, A.P.P for the Respondent No.2-State.

Mr.A.R.Bamne, for the Respondent No.3.

***CORAM : REVATI MOHITE DERE, J.
DATE : 8th DECEMBER, 2016***

P.C. :

1. Heard learned counsel for the parties.

2. By this application, the applicant seeks compliance of para 5, clause 1(i) of the order dated 27th October, 2016, passed by the learned Special Judge (CBI)/The Additional Sessions Judge, Greater Bombay (CR.51). The said clause 1(i) of para 5 reads thus:-

5....

1.

(i) The Bank of Baroda is at liberty to return original documents under reference to debtor/borrower, on taking the same from Debt Recovery Tribunal and particularly after giving permission for the same from the Debt Recovery Tribunal itself as well as of the Hon'ble High Court wherein appeal arising out of Special CBI Case No.87/2006 is pending.

3. Learned Special Public Prosecutor appearing on behalf of the Respondent No.1-CBI states that the said order has not been challenged by the CBI and that appropriate orders be passed by this Court.

4. The appeal filed by the applicant being Criminal Appeal No.1160 of 2015 has been admitted and the same is pending in this Court.

5. Perused the order dated 27th October, 2016, passed by the learned Special Judge (CBI)/The Additional Sessions Judge, Greater Bombay (CR.51), by which the application preferred by the applicant as

well as the respondent No.3 – Bank of Baroda were allowed on certain terms, including the term set out in para 2, here-in-above. Admittedly, there is no challenge to the said order by the CBI.

6. Considering the aforesaid, the respondent No.3–Bank of Baroda to return/release the original title deeds/share certificates, to the applicant. Accordingly, the parties to comply with the order dated 27th October, 2016, passed by the learned Special Judge (CBI)/The Additional Sessions Judge, Greater Bombay (CR.51).

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

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

REVATI MOHITE DERE, J.