

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

**CRIMINAL APPLICATION NO. 80 OF 2017
IN
CRIMINAL APPLICATION NO. 614 OF 2011**

Pinakin Kantilal Patel

... Applicant

V/s.

Dy. Commissioner of Income Tax
Spl Range 20, Mumbai & Anr.

... Respondents

Mr.Ganesh Bhujbal for the Applicant.
Mr. A.A. Palkar, APP for the Respondent/State.

**CORAM : A.S.GADKARI, J.
DATE : 25th SEPTEMBER, 2017**

P.C.:

. This is an application for return of cash deposited in the Registry of this Court in pursuance of order dated 05.02.2016.

2 Learned Counsel for the Applicant submitted that the Applicant has returned to India on the scheduled date as was directed by this Court. That by subsequent order dated 09.01.2017, he again went to foreign country and return on scheduled time. He submitted that in view of paragraph No. 8 of the said order dated 05.02.2016, he has not committed any breach.

3 Perused the record. I find substance in the submissions made by the learned Counsel for the Applicant.

4 In view thereof and for the reasons stated in the application, the

application is allowed in terms of prayer clause (a).

5 The Registry is hereby directed to refund the amount of Rs.1,00,000/- to the Applicant within a period of three weeks from the date of receipt of the present order .

6 Application is disposed of in the aforesaid terms.

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

(A.S.GADKARI, J.)