

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

**CRIMINAL APPLICATION NO. 492 OF 2017
in
CRIMINAL WRIT PETITION NO. 2006 OF 2017**

Sumitra Banerji

....Applicant

Versus

The Superintendent of Police, CBI, ACB,
Mumbai & Anr.

....Respondents

Mr. Samyak Gimekar for the applicant.

Mr. H.S. Venegaonkar a/w. T.V. Dhotre for CBI.

Mr. P.H. Gaikwad, APP for the State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 15th DECEMBER, 2017

P.C. :

1. By this application, the applicant has sought leave to withdraw the cash surety of Rs.1,00,000/- which was deposited before the trial court in compliance of the order dated 22nd May, 2017.

2. Heard Mr. Samyak Gimekar, learned counsel for the applicant, Mr. H.S. Venegaonkar, learned counsel for CBI and Mr. P.H. Gaikwad, learned APP for the State.

3. By order dated 22nd May, 2017, the applicant herein was permitted to travel abroad for the period from 22nd May, 2017 to 25th May, 2017. One of the conditions imposed upon the applicant was to deposit cash surety of Rs.1,00,000/- before the trial court. Pursuant to

the said order, the applicant had deposited cash surety of Rs.1,00,000/- before the trial court. Mr. Samyak Gimekar, learned counsel for the applicant has submitted that the applicant has travelled abroad as per travel itinerary and returned as per the schedule. He has further submitted that the applicant had reported to CBI after her return to India and has been appearing before the trial court in CBI Special Case Nos. 101 of 2012 and 06 of 2012 from time to time. These statements are not disputed.

4. In the light of the above, an amount of Rs.1,00,000/- (Rupees One Lakh) which was deposited as cash surety is ordered to be refunded to the applicant. Criminal Application No.492 of 2017 is disposed of accordingly.

(SMT. ANUJA PRABHUDESSAI, J.)