

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 375/2017

Mangesh s/o Dashrath Khadse ..vs.. The State of Maharashtra thr. PSO
Bramhapuri, Dist. Chandrapur.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. R. Renu, holding for Mr. Rohit Joshi, Advocate for
petitioner.

Mr. N. B. Jawade, A.P.P. for respondent.

CORAM : V.M. DESHPANDE, J.

DATED : JUNE 15, 2017

Heard.

Learned Magistrate has rejected the application under Section 457 of the Cr. P. C. filed on behalf of the present petitioner for return of Rs.3,90,000/- on Suprutnama. Further, revision carried by him was also rejected by the learned Sessions Court.

Worth to mention here that the petitioner was unable to give any explanation as to how this amount has come in his possession. Further the explanation which he offered before the Court that this particular amount was given to him by two persons namely; Chandrakant Prabhakar Khadase and Anand Namdevram Shrungarpawar was also found to be unsatisfactory since according to their affidavits, this amount was a sale proceed of the petrol and diesel. However, no receipts were filed on record to show that these two persons sold

that petrol and diesel. Since, there is non explanation on record as to how this amount was in possession of the applicant, I do not find any reason to interfere with the well reasoned order passed by the court below.

The writ petition is therefore dismissed.

JUDGE

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