

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 16 OF 2018****IN****CRIMINAL REVISION APPLICATION NO. 86 OF 2017**

Jitendra Vora

Since deceased through legal heir

Satyen J. Vora

....Applicant

Vs.

The State of Maharashtra & Anr.

....Respondents.

Mr. Yashpal Thakur I/by Smt. P.A. Thakker for the Applicant.

Mr. M.G. Shukla for the Respondent No.2.

Ms. Veera Shinde APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 29th AUGUST, 2018.****P.C.:-**

This is an Application for withdrawal of amount of Rs.28 lakhs deposited by the Respondent No. 2 before the learned Metropolitan Magistrate, 28th Court, Esplanade Court, Mumbai in pursuance of Order dated 17th April, 2017 passed by this Court in Criminal Application No.89 of 2017.

The Applicant is the original Complainant.

2 Mr. Shukla, the learned counsel for the Respondent Nos. 2 to 5 vehemently opposed the Application and submitted that, if the

Court is inclined to allow the Application, the Applicant may be directed to give continuous Bank Guarantee during the pendency of the Revision Application.

3 In view thereof, the Applicant is permitted to withdraw the sum of Rs.28 lakhs, subject to his giving a continuous Bank Guarantee, which shall remain in force during the pendency of Revision Application No. 86 of 2017.

4 Application is allowed in terms of prayer clause (a), subject to aforesaid condition.

(A.S. GADKARI, J.)

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