

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

**CRIMINAL APPLICATION NO. 162 OF 2018
IN
CRIMINAL REVISION APPLICATION NO. 574 OF 2016**

Mr. Salim Fakir Mohd. Naik ... Applicant

Versus

M/s. Shweta Enterprises & Anr. ... Respondents

Mr. H. B. Sangle for Applicant.
Mr. S. B. Kalel for Respondent No.1.
Mr. Y. Y. Dabke, APP for State.

**CORAM : NITIN W. SAMBRE, J.
DATE : APRIL 27, 2018.**

P.C. :

. Heard learned Counsel for the Applicant – Accused.

2. The prayer for withdrawal is strenuously opposed by the learned Counsel for Applicant – Accused, as according to him, there are fair chances of Applicant being get acquitted. However, keeping in mind that both the courts below have convicted the Applicant for the offence in question, it will be appropriate to pass following order.

ORDER

- (A) The Applicant is permitted to withdraw the amount of Rs. 60,000/- deposited in this Court and Rs. 40,000/- deposited in the trial court, total amount of Rs. 1,00,000/-, upon furnishing an undertaking to this Court that if the Revision Application is allowed, the amount shall be deposited in this Court with interest at the rate of 6% per annum.
- (B) The Application stands allowed in the aforesaid terms.

(NITIN W. SAMBRE, J.)