

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.536 OF 2017

IN

CRIMINAL REVISION APPLICATION NO.183 OF 2017

Parag Shrirang Kemkar

..Applicant.

V/s.

Manish D.Maurya & Anr.

..Respondents.

Mr.O.P.Yadav for the applicant.

Mr.S.J. Mishra for respondent No.1.

Mr.S.R. Shinde, APP for the respondent-State.

CORAM: NITIN W.SAMBRE, J.

DATE : APRIL 20, 2018

PC.:-

This is an application for permission to withdraw the amount of compensation which is deposited by respondent No.1-accused.

2. The prayer is objected to by the learned counsel for respondent No.1 on the ground that there is no lawful liability to pay the amount.

3. Both the Courts below have concurrently held that respondent No.1-accused is found to have been involved in the crime in question. That being so, the application, in my opinion, needs to be allowed in terms of prayer clause (a) subject to the condition that the applicant shall file an undertaking in this Court within a period of four weeks from today that in case the revision is allowed, the amount of compensation shall be re-deposited with interest at the rate of 6% p.a. within a period of 6 weeks from the date of the order in the revision.

4. The application stands disposed of in above terms.

(NITIN W.SAMBRE, J.)