

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

**MISC. APPLICATION NO.1196 OF 2017
IN
CRIMINAL APPLICATION NO.222 OF 2017**

Mr. Stephen John Smith

..Applicant

Versus

The State of Maharashtra and another

..Respondents

**Mr. Shreekant V. Mehta i/by Malvi Ranchoddas & Co., Advocate for
the Applicant.**

Mrs. M. H. Mhatre, APP for the Respondent - State.

**CORAM : B. R. GAVAI &
B. P. COLABAWALLA, JJ.
DATE : 10th JANUARY, 2018**

PC.

1] The present application has been filed praying for a direction to the Registrar of this Court to refund an amount of Rs.15,00,000/- deposited in this Court.

2] A charge-sheet was filed against the present Applicant for the offence punishable under Section 379 of the Indian Penal Code. The Applicant by way of present Criminal Application No.222 of 2017, though had prayed for quashing of the charge-sheet also prayed for interim prayer in the said application for permission to travel abroad for attending the marriage of his daughter.

3] This Court vide order dated 2nd March 2017 had granted permission to the Applicant on certain conditions. One of the conditions was deposit an amount of Rs.15,00,000/- in this Court.

4] In pursuance to the order passed by this Court on 2nd March 2017, the Applicant has deposited the said amount.

5] However, it appears that subsequently the matter has been amicably settled between the present Applicant and the first informant vide order dated 20th April 2017. The learned Chief Metropolitan Magistrate has acquitted the accused/Applicant. In that view of the matter, we find that the application deserves to be allowed. The application is therefore made absolute in terms of prayer clause (a).

[B. P. COLABAWALLA, J.]

[B. R. GAVAI, J.]