

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

MISC. CRIMINAL APPLICATION (APPLN) 25 OF 2018

(Vinod Sahebrao Komrekar..vs..State, thr PSO PS Karanja (Lad) Dist. Washim)

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

Court's or Judge's orders.

Shri M.N. Ali, counsel for applicant.
Shri N.B. Jawade, APP for non-applicant.

CORAM: ROHIT B. DEO, J.

DATE: 26th July, 2018.

Heard.

2 This Court was not inclined to allow the application for transfer, having perused the report of the learned Judge.

3 Shri M.N. Ali, the learned counsel for the applicant seeks leave to withdraw the application. He is permitted to do so.

4 An amount of Rs. 1 lac was deposited by the applicant in this Court in view of the order dated 22.6.2018. Shri Rishikesh Haridas Upadhye, who is lost his father and younger sister in the accident has appeared before this Court suo motu to oppose the application.

5 The reason why the applicant was asked to deposit Rs. 1 lac in this Court is spelt out in the order dated 22.6.2018. The learned counsel Shri M.N. Ali fairly states that the applicant would have no objection if an amount of Rs. 50,000/- is forfeited and paid to Shri Rishikesh Upadhye.

6 The Registry to permit Shri Rishikesh Upadhye to withdraw an amount of Rs. 50,000/- from the amount deposited by the applicant. The applicant is permitted to withdraw the balance amount of Rs. 50,000/-. It is made clear that the amount of Rs. 50,000/- which is to be paid to Shri Rishikesh Upadhye is to compensate him for the inconvenience suffered since by interim order, the trial is stalled and for the trouble he is put to since he was required to appear before this Court to oppose the application seeking transfer. This amount of Rs. 50,000/- shall be in addition to any compensation to which the claimants including Shri Rishikesh Upadhye may be found entitled to in appropriate proceedings. With these directions, the application is disposed of as withdrawn.

JUDGE

RSB