

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 530 OF 2019

Vivek Champaklal Vaidya and another.	]	Applicants
Vs.		
The State of Maharashtra	]	
(Through CBI, ACB)	]	Respondents

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Ms. Sonal Parab i/b Kiran Varma, for the Applicants.

Mr. H. S. Venegaokar, for the Respondent-C.B.I.

Mr. P.H. Gaikwad Patil, A.P.P for the Respondent - State.

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CORAM : REVATI MOHITE DERE, J.

DATE : 2nd DECEMBER, 2019.

P.C. :

Learned Counsel for the applicant seeks de-freezing of the applicant's Account, being Account No.00791000152185 in H.D.F.C Bank Ltd., Santacruz, on the premise that the applicant's daughter is getting married and the said money is required for marriage expenses.

2. A perusal of the Application shows that the applicant had neither pleaded this ground in the aforesaid application nor in the application filed before the trial Court.

3. Considering the aforesaid, learned Counsel for the applicant seeks leave to withdraw the application with liberty to file a fresh application before the trial Court on the ground that the applicant's daughter is getting married and the said money is required for marriage expenses.

4. Application is accordingly disposed of as withdrawn with liberty as prayed for. If such application is filed by the applicant, the learned trial Judge to decide the same on its own merits, un-influenced by withdrawal of this application. It is made clear that this application has not been heard on merits.

5. All concerned to act on the authenticated copy of this order.

[REVATI MOHITE DERE, J.]