

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.918 OF 2018
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1708 OF 2017

Gulab Dungarshi Shah, Age 54 years,
Occ. Insurance Agent,
R/o. 601, Santguru Drushti, Valji Dada Road,
Near Hirogami Hospital, Mulund (W),
Mumbai-400 080.

Applicant

versus

1. Mahesh Bhagwan Patel
2. Suresh Bhagwan Patel
3. The State of Maharashtra

Respondents

Mr. Raju D. Suryawanshi for applicant.

Mrs. G.P. Mulekar, APP, for State.

Ms. Vinaya G. Padwal I/by N.S. Mundargi for respondent no.2.

CORAM : PRAKASH D. NAIK, J.

DATE : 16th January 2019

PC :

1. This is an application for withdrawal of the amount deposited by respondent nos.1 and 2 in accordance with consent terms dated 21st June 2018. The applicant is the original complainant. The respondent nos.1 and 2 had preferred Anticipatory Bail Application No.1708 of 2017 before this Court which was allowed by order dated 13th July 2018 in view of consent terms dated 21st June 2018. As per consent terms the applicant was permitted to withdraw a sum of Rs.10,00,000/- deposited in this Court. Learned counsel for respondents submits that the said amount has been deposited and on account of the consent terms, the respondents herein have no objections for withdrawal of the said amount by the applicant.

2. In the circumstances this application is required to be allowed. The applicant is allowed to withdraw Rs.10,00,000/- deposited by respondent nos.1 and 2 vide order dated 16th January 2018 and more particularly mentioned in clause 3(ii) of the consent terms dated 21st June 2018. Criminal Application No.918 of 2018 is disposed off.

(PRAKASH D. NAIK, J.)

MST