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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION No. 1079 OF 2016
IN
CRIMINAL APPEAL No. 108 OF 2010

Bhagwandas Gupta and Anr.	...Applicants
Vs.	
The State of Maharashtra and Anr.	...Respondents

 Mr. Chetan Mali for Applicants
 Mr. S.S. Pednekar -App for the State

CORAM : SMT.SADHANA S. JADHAV, J.

DATE : JANUARY 18, 2019

P.C.:

1. This is an application seeking withdrawal of the amount deposited in Criminal Application No. 320 of 2011. The learned counsel for the Applicant at the threshold submits that he has taken inspection of the records in the present application and that the office i.e. 'B' Branch, upon perusal of the order dated 13th February, 2018 was of the opinion that the application was finally allowed and hence the office had shown the application has disposed of.

2. In view of this, it would not be necessary to clarify the said issue.

3. As per the directions of this Court, the Applicant herein has filed his affidavit that inadvertently, due to old age, his son had filed the affidavit on the earlier occasion. However, as on today, they are filing an affidavit and that they may be permitted to withdraw the amount of Rs.1,24,000/- in addition to the accrued

interest on the said amount.

4. The learned counsel appearing for Noel Pharmaceuticals has submitted that he has no objection to the withdrawal of the amount of Rs.1,24,000/- along with the interest accrued thereupon since 2011.

5. The Registry to accept the affidavits in Criminal Application No. 320 of 2011 of Bhagwandas Gupta and Premlata Bhagwandas Gupta and do the needful and also comply with the order dated 13th February, 2018 at the earliest. The photocopies of the said affidavits are taken on record and marked Article X for the purpose of identification.

6. In view of this, criminal application No. 1079 of 2016, filed by Bhagwandas Gupta and Premlata Bhagwandas Gupta, is accordingly disposed of.

[SMT.SADHANA S. JADHAV, J.]

V.A. Tikam