

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL (STAMP) NO.1014 OF 2018

WITH

CRIMINAL APPLICATION NO.1421 OF 2018

WITH

CRIMINAL APPLICATION NO.1425 OF 2018

WITH

CRIMINAL APPLICATION NO.1495 OF 2018

IN

CRIMINAL APPEAL (STAMP) NO.1014 OF 2018

ALONG WITH

CRIMINAL APPEAL NO.1058 OF 2018

WITH

CRIMINAL APPLICATION NO.1496 OF 2018

IN

CRIMINAL APPEAL NO.1058 OF 2018

ALONG WITH

CRIMINAL APPEAL NO.1143 OF 2018

WITH

CRIMINAL APPLICATION NO.1695 OF 2018

IN

CRIMINAL APPEAL NO.1143 OF 2018

Mr. Kamal Kant Dewan.	]	
Director of M/s. DGM Developers Pvt. Ltd.	]	... Appellant

Versus

The State of Maharashtra & Anr.	]	... Respondents
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Mr. Pravin Gaikwad a/w Ms. Ruchita Dhuru for Appellant.

Mr. Angad More i/b Mr. Sandeep R. Karnik for Intervener / First Informant.

Ms. Rebecca Gonsalves, Spl.P.P. for State.

Mr. Suryakrishnamurthy for Competent Authority.

**CORAM :- INDRAJIT MAHANTY &
SARANG V. KOTWAL, JJ.**

DATE :- 08 FEBRUARY, 2019

P. C. :-

1. An Affidavit has come to be filed by the Appellants indicating that they are ready and willing to pay the total sum of Rs.3.60 Crores as mentioned in Schedule in paragraph of 6 of the Affidavit which is quoted hereunder :

“6. I say that as per the direction of this Hon'ble Court, I am filing this additional affidavit to give the payment schedule of the said amount of Rs.3,60,00,000/- (Rupees Three Crores Sixty Lakhs Only). The Schedule is stated as herein under :

Sr.No.	Particulars	Amount
1	Within 7 days from the date of Order	Rs.10,00,000/-
2	Within 30 days from the date of Order	Rs 25,00,000/-
3	Within 60 days from the date of Order	Rs.50,00,000/-
4	Within 90 days from the date of Order	Rs.2,75,00,000/-

The Appellant shall make the aforesaid payment to the RTGS account of the Competent Authority, details of which have been provided to the learned Counsel for the Appellant in Court today.

URS

This order is corrected as per 'Speaking to Minutes' order dated 14th February, 2019

2. We direct that payments be made as committed in the Affidavit therein, and if any default occurs beyond a period of 15 days of any installment, the payment made shall be forfeited in favour of the Competent Authority and the Competent Authority shall be free to proceed against the property in accordance with law. In the event the Appellant satisfying the commitment made as noted herein and on making all such payments, the property concerned shall be released in favour of the Appellant, within a further period of one month from the date of such last payment.

3. With such directions, the Appeals stand disposed of.

4. Consequently, Criminal Applications do not survive and the same are also disposed of.

(SARANG V. KOTWAL, J.)

(INDRAJIT MAHANTY, J.)