

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 3454 OF 2019**

Rakesh Satiram Kanojiya ... Petitioner

Versus

The State of Maharashtra ... Respondent

Mr. Falshrudin Khan a/w Mr. Vikas Tiwari for the petitioner.

Mr. S.R. Shinde, APP for the respondent State.

**CORAM : B.P. DHARMADHIKARI &**  
**NITIN R. BORKAR, JJ.**  
**DATE : JANUARY 30, 2020**

**P.C.:**

Perused the order dated 17/6/2015 returning back the cash amount of Rs.1,78,65,000/- to the complainant. Grievance of the petitioner/accused is he was not present in the court on that date and the Investigating Officer has with oblique motive communicated his no objection to the concerned court which after taking its note, has allowed the refund.

2. Learned APP has invited our attention to the said order to demonstrate that there is no substance in this contention.

3. We have perused the order. The order nowhere records that the no objection recorded therein as given by accused was communicated by the Investigating Officer to the court.

4. We therefore, find no case made out for intervention at this stage.

5. We keep the contention of the petitioner open for its appropriate evaluation during trial. Petition is accordingly disposed of.

**(NITIN R. BORKAR, J.)**

**(B.P. DHARMADHIKARI, J.)**