

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

***CRIMINAL INTERIM APPLICATION NO. 583 OF 2021
IN
CRIMINAL BAIL APPLICATION NO. 1151 OF 2019***

Ramesh Babulal Jain ...Applicant
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. Parth Kishor Sanghrajka for the Applicant

Mr. S. V. Gavand, A.P.P for the Respondent No.1–State

Mr. S. R. Samel i/b Rajeev Sawant & Associates for the Respondent No. 2

CORAM : REVATI MOHITE DERE, J.

TUESDAY, 23rd FEBRUARY 2021

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant (original complainant) seeks
the following relief :

“A. That this Hon’ble Court be pleased to direct the registry to transfer/pay an amount of Rs.3,65,000/- to the Applicant/Ori. Complainant on any terms and conditions as this Hon’ble Court deems fit and just.”

3 Vide order dated 7th August 2019, the respondent No. 2 herein-Gajanan Laxman Palave was enlarged on bail by this Court (Coram : Revati Mohite Dere, J.) on certain terms and conditions. It is recorded in the said order that the applicant would deposit 5 demand drafts totalling to Rs. 3,65,000/- in the Registry of this Court within one week from the date of the said order. It is not in dispute that the respondent No. 2 herein-Gajanan Laxman Palave has deposited the said amount in the Registry. The applicant is the original complainant, who seeks transfer of the said amount i.e. Rs. 3,65,000/- deposited by the respondent No. 2 in the Registry, to the applicant (original complainant).

4 Learned counsel for the respondent No. 2, on instructions of the respondent No. 2, states that the respondent No. 2 has no objection if the said amount i.e. Rs. 3,65,000/- is transferred by the Registry of this Court in favour of the applicant (original complainant).

5 In view of the aforesaid, the application is allowed.

6 The Registry of this Court is directed to transfer/pay the amount of Rs. 3,65,000/- deposited by the respondent No. 2 to the applicant

(original complainant) along with accrued interest, if any, on verifying the identity of the applicant.

7 Application is disposed of accordingly.

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

REVATI MOHITE DERE, J.