

27.1.2021

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION (I.A.) NO. 723 OF 2020
IN
CRIMINAL APPEAL NO. 195 OF 2014

Sachin Bhiva Murudkar ...Applicant
(Orig. Accd. no.1)

V/s.

1. The State of Maharashtra

2. CBI, ACB, Mumbai. Respondents

* * * *

Ms. Mrunmai Kulkarni, Advocate for the
applicant.

Mr. Yogesh Dabke, APP for State-respondent
no.1.

Mr. H.S. Venegaonkar, Advocate for CBI-
respondent no.2.

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CORAM : SANDEEP K. SHINDE, J.

Wednesday, 27.1.2021.

P.C. :

1. Heard learned Counsel for the applicant, Mr.Venegaonkar, for the CBI and learned APP for the State.

2. Applicant has been acquitted of the offences punishable under the Prevention of Corruption Act in CBI Special Case No.100/2010. The prosecution agency has not preferred an Appeal against the order of acquittal.

3. In the course of investigation, title documents of properties of the applicant were seized and taken charge of. Applicant now seeks direction to the Registry of this Court and the prosecution agency to release those documents.

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Prosecution has filed Affidavit-in-reply and recorded its no-objection to release the National Saving Scheme Certificates only for renewal; and registration certificate book and receipts of Vehicle No.MP-04-DJ-6236 without any conditions.

4. Applicant husband who was tried alongwith her, has been convicted and entire records and proceedings were transmitted to this Court in the Appeal filed by the applicant-husband against the order of conviction.

5. In the circumstances, the documents, more particularly described and set out at serial nos.1 to 5 of the Affidavit of the prosecution sworn by Ashok K. Chavan, now lying in the custody of the Registry of this Court, be released after following the procedure of returning the documents

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contemplated under the provisions of the Civil Manual. Learned Counsel for the CBI has no objection for the same. So far as, the fixed deposits receipts of the CKP Co-operative Bank is concerned, the prosecution agency has no objection to handover the Certificates to the applicant in terms of para-19 of their Affidavit-in-reply. Accordingly, CBI may handover fixed deposit receipts/Certificates of the CKP Co-operative Bank Limited. Applicant, undertakes to renew National Saving Scheme Certificates, of the matured sum and submit/deposit it, with CBI, preferably within three months from the date of this order. Undertaking is accepted.

6. Application is allowed and disposed off.

(SANDEEP K. SHINDE, J.)