

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

**INTERIM APPLICATION NO.2181 OF 2021
IN
REVISION APPLICATION NO.693 OF 2016**

Aslam Shaikh ... Applicant
Vs
The State of Maharashtra
& Anr. ... Respondents
...

Mr. Ujwal Agandsurve for the Applicant in Revn
No.693/16.

Mr. Santosh Kyadiguppi for R.No.2 in Revn 693/16 and
for the applicant in IA 2181/2021

Mr. A.R.Patil , APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : OCTOBER 5, 2021.

P.C. :

Applicant (Original Complainant) seeks leave to
withdraw the amount of compensation deposited by the
accused, pursuant to the judgment and order dated 5th
June, 2014 in Criminal Case No.847 of 2012 passed by the

learned Metropolitan Magistrate, Kurla, Mumbai. The conviction and sentence under Section 138 of the Negotiable Instruments Act, 1881 was affirmed in appeal by the learned Sessions Court, Mumbai vide judgment and order dated 10th November, 2016. Feeling aggrieved by the concurrent findings, accused has filed Revision before this Court.

2 Pending revision, this Court vide order dated 22nd December, 2016 and 7th April, 2021 directed the applicant-accused to deposit the amount of fine/compensation in the Court. As of today, the applicant-accused has deposited Rs.16,90,096/- in the Registry of this Court; Rs.7,60,000/- in the Sessions Court, Mumbai in Criminal Appeal No.615 of 2014 and Rs.20,000/- in the Court of Metropolitan Magistrate, Kurla in CC NO.847 of 2012.

3 Heard the learned counsel for the applicant

(Complainant) and the learned counsel for the revision applicant. Perused the orders.

4 In consideration of the facts of the case, pending revision, applicant/complainant is permitted to withdraw the amount from the respective Courts on a Undertaking that if the revision applicant succeeds in the revision, applicant/original complainant shall bring back the money as that may be directed by the Court while deciding the subject Revision Application.

5 Interim application is disposed off in the aforesaid Terms.

(SANDEEP K. SHINDE, J.)

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

REVISION APPLICATION NO.693 OF 2016

Mohammed Jafar Qureshi ... Applicant
Vs
The State of Maharashtra
& Anr. ... Respondents

...

Mr. Ujwal Agandsurve for the Applicant in Revn
No.693/16.

Mr. Santosh Kyadiguppi for R.No.2 in Revn 693/16 and
for the applicant in IA 2181/2021

Mr. A.R.Patil , APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : OCTOBER 5, 2021.

P.C. :

Heard learned counsel for the parties.

2 **Admit.**

3 Call Records and Proceedings from the Appellate
Court.

(SANDEEP K. SHINDE, J.)