

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION (APPR) NO. 452 OF 2019
IN
CRIMINAL REVISION APPLICATION (ST.) NO. 92 OF 2018**

Mahendrapratap Baburam Gupta	... Applicant
V/s.	
Ashok Singh Hanumanta Singh & Anr.	... Respondents

Ms.Sadhana Singh for Applicant/original complainant.
Mr.Mahesh Tiwari for Respondent No.1.
Mr.Amit Palkar, A.PP. for Respondent No.2-State.

CORAM : A.S. GADKARI, J.
DATE : 3rd February 2021.

PC. :

This is an application filed by the original complainant for withdrawal of the amount deposited by the Revision Applicant/accused in the Registry of this Court.

2. Record indicates that, the applicant had earlier deposited a sum of Rs.50,000/- before the Trial Court and in pursuance of Order dated 12th February 2018 has deposited a further sum of Rs.3,50,000/- in the Registry of this Court. Thus, the applicant has deposited in total Rs.4,00,000/- in the Trial Court and this Court.

3. The applicant/original complainant is permitted to withdraw the said amount from the Registry of the Trial Court as well as this Court, subject to furnishing usual undertaking and incorporating a specific clause that, in case the Revision Applicant succeeds in the Revision, the applicant/original complainant will bring back the entire amount for its payment to the Revision Applicant (Accused) with interest at the bank rate, as may be fixed by the Reserve Bank of India prevailing at the beginning of the relevant financial year, within 60 days from the date of pronouncement of the Judgment by this Court or within such stipulated period as may be directed by this Court.

4. Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]

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