

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (APPP) NO. 423 OF 2021

IN

CRIMINAL APPLICATION (ABA) NO. 751 OF 2020

(Pramod Shankar Dongre ..vs.. State of Maharashtra, through PSO, MIDC, Nagpur)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. G.T. Ramteke, Counsel for the applicant,
Mrs. Kalyani Deshpande, Addl.PP for the non-applicant/State,
Mr. Y.B. Mandpe, Counsel for the complainant.

CORAM : ROHIT B. DEO, J.

DATED : 31-03-2021

Hearing was conducted through video conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. This Court granted pre-arrest protection to Pramod Shankar Dongre in connection with Crime 908/2020 registered with MIDC Police Station, Nagpur for offences punishable under Sections 420, 448, 467, 468 and 471 read with Section 34 of the Indian Penal Code.

3. The undertaking of Mr. Pramod Shankar Dongre, to deposit Rs.3,00,000/- in the registry was noted.

4. Paragraph 3 of the order dated 15-12-2020 in Criminal Application (ABA) 751/2020 reads thus :

“3. The learned Counsel for the applicant Mr. Shukla states, on instructions, that the applicant shall deposit Rs.3,00,000/- in the registry of this Court within five days and the applicant shall have no objection to the complainant Mr. Horo withdrawing the said amount, provided he undertakes to refund the amount in the eventuality of the civil proceedings, which the applicant may institute, culminating in adverse order. The undertaking is accepted and is made a condition for granting pre-arrest protection, alongwith the other conditions to which a reference shall be made hereinafter.”

5. It is not in dispute that the amount of Rs.3,00,000/- is deposited by accused Pramod Shankar Dongre.

6. The complainant Sinu Budhram Horo has given the necessary undertaking in paragraph 5, which read thus:

“5. That the complainant undertakes to refund the amount in the eventuality of the civil proceedings, which the applicant may institute culminating in adverse order.”

7. The application is allowed.

8. The applicant Sinu Budhram Horo is permitted to withdraw the amount of Rs.3,00,000/- deposited by accused Pramod Shankar Dongre in the registry since Sinu Budhram Horo has undertaken that he shall refund the amount in the eventuality of the civil proceedings, if instituted, culminating in adverse order. Pertinently,

while depositing the amount accused Pramod Shankar Dongre further undertook that he shall have no objection to the complainant Sinu Budhram Horo withdrawing the amount, subject to furnishing undertaking referred to supra.

JUDGE

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