

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

67 CRIMINAL APPLICATION NO.438 OF 2022
IN
CRIMINAL WRIT PETITION NO.574 OF 2013

ARUN NARAYAN TAGAD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicants : Mr. Thorat Nanabhau R
APP for Respondents: Mrs. P V Diggikar

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CORAM : V.K. JADHAV & SANDIPKUMAR C. MORE, JJ.
Dated: March 21, 2022

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PER COURT :-

1. We have heard the learned counsel for the applicants and the learned APP for the respondents/State.

2. By order dated 1.12.2020 in Criminal Writ Petition No.574 of 2013 this Court (Coram: T.V.Nalawade & M.G.Sewlikar, JJ.) has allowed the writ petition filed by the present applicants and directed the respondents to pay an amount of Rs.50,000/- (Rupees Fifty Thousand) to each petitioner as compensation for illegal detention. In compliance with the said directions by respondents/State has deposited the entire amount
aaa/-

before this Court on 14.1.2021. The applicants have filed present application for permission to withdraw the said amount.

3. We have requested to the learned APP on previous date to take instructions as to whether the respondent/ State has preferred any appeal against the judgment and order passed in Criminal Writ Petition No.574 of 2013 dated 1.12.2020. The learned APP, on instructions, submits that, the State has not preferred any appeal. The learned APP, thus, submits that appropriate orders may be passed

4. In terms of the order passed by this Court on 1.12.2020 in Criminal Writ Petition No.574 of 2013, the Respondent/State has deposited an amount of Rs.1,00,000/- (Rs. One Lac) on 14.1.2021 and, since the Respondent/State has not preferred any appeal against the said order, the applicants before us are entitled to withdraw the said amount.

aaa/-

5. In view of the above, criminal application is hereby allowed in terms of prayer clause '**B**'. Criminal application is accordingly disposed off.

(**SANDIPKUMAR C. MORE, J.) (V.K. JADHAV, J.)**

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