

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

**CRIMINAL APPLICATION NO. 3030 OF 2022
IN
CRIMINAL REVISION APPLICATION NO. 162 OF 2022**

Rajkumar Ganpati Manudhane
(Since deceased through his legal heirs)
Smt. Meena Rajkumar Manudhane and others .. Applicants

Versus

Manoj Ghansham Birla and another .. Respondent

Mr. U. S. Malte, Advocate for the Applicants.
Ms. Rashmi S. Kulkarni, Advocate for Respondent No. 1.
Mrs. P. V. Diggikar, APP for Respondent No. 2.

CORAM : KISHORE C. SANT, J.

DATED : 27th SEPTEMBER, 2022.

P. C. :-

1. At the outset, the learned advocate for the applicants submits that the respondent/accused has deposited an amount of Rs. 1,25,000/- (Rs. One Lakh Twenty Five Thousand only) in the Trial Court. Further, an amount of Rs. 3,75,000/- (Rs. Three Lakh Seventy Five Thousand only) is deposited in this Court in view of the statement that was voluntarily made and which is recorded in order dated 13.06.2022.

2. The learned advocate for the respondent No. 1 fairly submits that she has no objection if the amount is withdrawn by the applicants.

3. The learned advocate for the applicants submit that the applicants have filed present application praying for permission to withdraw the amount with accrued interest i.e. already deposited.
4. Considering the submissions, I pass the following order.

ORDER

(I) The criminal application is allowed in terms of prayer clause (B).

(II) An amount of Rs. 3,75,000/- (Rs. Three Lakh Seventy Five Thousand only) deposited in the office of this Court be transmitted to the Court of learned J.M.F.C., Erandol.

(III) The applicants are permitted to withdraw the entire amount of Rs. 4,00,000/- (Rs. Four Lakh only) after the amount is transmitted to that Court on furnishing undertaking to the effect that in case, the revision application is allowed, the applicants in Criminal Application No. 3030/2022 would repay the amount with interest.

(IV) The criminal application is disposed of.

(KISHORE C. SANT, J.)

PS.B.