

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

**CRIMINAL APPLICATION NO.3540 OF 2022
IN REVN/179/2022**

**BHAUSAHEB BHAJANGRAO DHAVALÉ
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Advocate for Applicant : Mr. A.B. Jagtap
APP for Respondent/State : Mr. K.S. Patil
Advocate for Respondent No.2 : Mr. B.P. Pande

CORAM : S.G. MEHARE, J.

DATED : 17th OCTOBER, 2022

PER COURT:-

1. The applicant-respondent filed this application for releasing the amount of Rs.40,000/-.
2. Learned counsel for the original petitioner opposed this application contending that the applicant has a good chance of success. The mediation is in progress.
3. It is not in dispute that as per the direction of this Court, the petitioner has deposited Rs.40,000/-. The petitioner has challenged the judgment and order passed under Section 138 of the Negotiable Instruments Act. The Court held the petitioner guilty for the said offence and determined the liability. Therefore, the amount claimed by the applicant may be released on undertaking. Hence, the following order :

ORDER

- I) The application is allowed.
- II) The office is directed to release Rs.40,000/- along with interest, if that amount is deposited in bank on the undertaking that he would redeposit the amount received by him within two weeks if the judgment is reversed.

(S.G. MEHARE, J.)

Mujaheed//