

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.2009 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.111 OF 2022**

Narayan Ganapatrao Jadhav

.. Applicant

Versus

Swami Vivekanand Adarsh Vikas
Shikshan Sanstha and Ors.

.. Respondents

**WITH
INTERIM APPLICATION NO.2015 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.109 OF 2022
WITH
INTERIM APPLICATION NO.2018 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.108 OF 2022
WITH
INTERIM APPLICATION NO.2013 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.110 OF 2022**

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Mr.Aditya Raktate, Advocate for the Applicant in IA.

Mr.Tejas Hilage, Advocate for Respondent No.1/Orig. Revision Applicant.

Mr.A.R. Patil, APP for the Respondent No.1-State.

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CORAM : PRAKASH D. NAIK J.

DATED : JULY 06, 2022.

P.C. :

These applications are preferred by the original complainant for withdrawal of the amount deposited by the revision applicant in this Court as well as before the trial Court.

2 The revision applicant had filed an Undertaking in this Court in accordance with order dated 26th February, 2022, and, undertaken to deposit an amount of Rs.43,00,000/-, in this Court.

3 Learned advocate for the applicant submits that he has so far deposited Rs.20,00,000/-, in accordance with undertaking, and, there is default in depositing the amount of Rs.10,00,000/-. He advocate for the applicant seeks three weeks time to deposit the amount of Rs.10,00,000/-, as per the Undertaking.

4 Learned advocate for the complainant submits that one of the complainant is aged around 97 years. He is in need of money. The revision applicant has been convicted by the Court of learned Magistrate, which conviction has been confirmed by the Sessions Court.

5 The application for withdrawal of the amount has been opposed by the revision applicant on the ground that he has good case on merits. The revision applicant had filed an FIR against the complainant alleging forgery of documents, and, thereby transferring the residential premises of the revision applicant in his name.

6 It is noted that the applicant has been convicted by the Court of learned Magistrate and the said conviction has been confirmed by Sessions Court by dismissing the Appeal. The amount of Rs.20,00,000/- deposited in this Court and Rs.8,00,000/-, deposited in the trial Court can be allowed to be withdrawn by the complainant on an Undertaking that in the event the impugned judgment which are under challenge in the revision application are reversed, the said amount would be redeposited in this Court with the accrued interest from the date of withdrawal of the said amount.

7 The revision applicant is granted three weeks time to deposit the amount of Rs.10,00,000/-, in accordance with the Undertaking filed in this Court. The complainant is permitted to withdraw the amount deposited by revision applicant on an Undertaking stated above.

8 Interim Applications are disposed of.

(PRAKASH D. NAIK, J.)