

Uday S. Jagtap

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

**INTERIM APPLICATION NO. 2417 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO.630 OF 2022**

Sandip S. Nikam .. Applicant

Vs.

The State of Maharashtra .. Respondent

.....
Mr. Yogendra Kumar a/w Mr. Arun Longani for the applicant
Mrs. Geeta P. Mulekar, APP for the respondent – State
.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 11th AUGUST, 2022.

P.C.

1. Learned Counsel for the applicant seeks to modify an order dated 20th April, 2022 passed by this Court (Coram : Vinay Joshi, J.), more particularly, para 2 of the order, which reads thus :-

“2. It was the informant’s case that he has paid amount of Rs.5 Lakhs to the applicant towards investment which was allegedly not returned. It is informed that the matter is settled and the entire amount has been refunded by the applicant to the Sandip Shantaram Nikam who is present in court and identified by the learned APP. Upon instructions, the learned APP submits that the informant has received entire amount.”

2. The modification now sought is to the extent that the entire amount has not been refunded by the applicant – accused to the original complainant. This prayer cannot be acceded to for the reason that the applicant could have approached the same Court before commencement of the summer vacation seeking modification, as it is sought to be made now.
3. However, learned APP has no objection that the amount of Rs.5 lakhs deposited by the applicant with the Registry to be refunded to the original complainant.
4. Thus, the amount of Rs.5 lakhs deposited in the Registry be refunded to the original complainant after due verification.
5. Application stands disposed off.

(PRITHVIRAJ K. CHAVAN, J.)