

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

CRIMINAL WRIT PETITION NO. 3720 OF 2021

Nitin Pandurang Kharat

...Petitioner

Versus

State of Maharashtra & Ors.

....Respondents

.....
Mr. Nagraj S. Shinde for the Petitioner.
Mr. A. D. Kamkhedkar, APP for the State.

.....

CORAM : N. R. BORKAR, J.

DATE : 17th JANUARY, 2022.

P.C. :

. This petition takes an exception to the judgment and order dated 20th September, 2021 passed by the learned Additional Sessions Judge, Pandharpur in Criminal Appeal No. 8 of 2021.

2. I have heard the learned Counsel for the Petitioner and the learned APP for the Respondent-State.

3. Hydraulic Excavation Machine owned by the Petitioner came to be seized in Crime No. 1049 of 2020 registered by Sangola Police Station.

4. The learned APP for the Respondent-State, on instructions, from the Investigating Officer Mr. Prashant Bhasme submits that the

prosecution has no objection to release the machine/vehicle in question in favour of the Petitioner. In view of this, the following order is passed:

ORDER

- i) The petition is allowed.
- ii) The machine/vehicle in question shall be returned to the Petitioner on execution of bond in the sum of Rs.20,00,000/- (Rs. Twenty Lakhs only) before the trial Court.
- iii) The Petitioner shall not transfer/alienate the machine/vehicle in question during the pendency of trial.
- iv) The petition is disposed of accordingly.

(N. R. BORKAR, J.)