

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2953 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.101 OF 2018

Sanjay Shankar Sakhare
versus
Rajesh Devraj Vora and another

Applicant
Respondents

Mr.Prakash Sutar, Advocate for applicant in Revision Application.
Mr.S.R.Agarkar, APP, for State.
Ms.Kamini M. Yadav, Advocate for applicant in I.A and for respondent in Revision Application.

CORAM : PRAKASH D. NAIK, J.

DATE : 19th September 2022

PC :

1. This Interim Application is preferred by original complainant for withdrawal of amount deposited by revision applicant.
2. The revision application has been preferred challenging judgment of conviction passed by the Court of learned Metropolitan Magistrate and confirmed by Sessions Court. The sentence of imprisonment has been suspended by this Court and revision application has been admitted.
3. Learned advocate for applicant-complainant submitted that revision applicant has deposited Rs.3 lakh before Trial Court and Rs.1 lakh before this Court. Photographs of receipts regarding deposit of amount of Rs.1 lakh, Rs.2 lakh and Rs.1 lakh respectively are annexed to this application.

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4. Learned advocate for revision applicant submits on instructions that the applicant has no objection for withdrawal of the amount by the complainant.

ORDER

- (i) Interim Application is allowed and disposed of;
- (ii) The applicant-complainant is allowed to withdraw the amount of Rs.1,00,000/- and Rs.2,00,000/- deposited before the Court of learned Metropolitan Magistrate (Trial Court) and Rs.1,00,000/- deposited in this Court;
- (iii) The withdrawal of amount shall be subject to outcome of revision application. In the event judgment of conviction is reversed in the revision application, the applicant-complainant shall deposit the amount in this Court;
- (iv) The revision applicant shall co-operate with applicant for withdrawal of the amount by handing over receipts of deposit to the complainant.

(PRAKASH D. NAIK, J.)

MST