

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1244 OF 2019
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 767 OF 2019

Mr. Harshad Suresh Murkute. ... Applicant.

V/s.

Sameer Bhaskar Jadhav & ors. ... Respondents.

Mr. Umesh S. Iyer a/w. Deepak Mane i/b. Rinky Kanojia, advocate for applicant.

Ms. Heena Shaikh i/b. Subhash Upadhyay, advocate for respondent No. 1.

Smt. Rutuja Ambekar, APP for respondent-State.

CORAM : BHARATI DANGRE, J.

DATE : AUGUST 4, 2022.

ARUNA S
TALWALKAR

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PC.

1 By order dated 9th April, 2019, while applicant(accused) attempted to prove his case for protection from arrest, the counsel for the applicant on instructions made a statement that with a view to prove his bonafide and without prejudice to his rights and contentions, the applicant(accused) shall deposit the amount of the said shares then prevailing in share market as of January, 2017 which comes to the tune of approximately Rs. 7,80,000/- in the Registry of this Court. Accordingly, the amount is deposited and lying in this Court.

2 The complainant has filed this application seeking withdrawal of the amount.

3 There is no dispute that this is the only amount which is involved in the said C.R. No. 13 OF 2019 invoking Section 406, 420 of the Indian Penal Code.

 The applicant/accused who is present in the court accorded his no objection for withdrawal of the said amount. The learned Counsel for the applicant/complainant states that if he is permitted to withdraw the amount, he will accord no objection in case the applicant/accused move a petition for quashing of FIR.

 Subject to above statements, the complainant deserves withdrawal of the said amount of Rs. 7,80,000/-.

4 In the wake of the above settlement arrived between the parties, the applicant in Criminal Application No. 1244 of 2019 is allowed to withdraw the amount on his identity being established before the Registry of this Court. The application is disposed of accordingly.

SMT. BHARATI DANGRE, J