

AGK

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

**INTERIM APPLICATION NO.275 OF 2022
IN
CRIMINAL REVISION APPLICATION NO.16 OF 2021**

Digitally
signed by
ATUL
GANESH
KULKARNI
Date:
2022.12.03
10:20:31
+0530

Inderjit Singh Rana

... Applicant

V/s.

Ramesh Rajaram Salunkhe & Anr.

... Respondents

Mr. Pavan Patil for the applicant.

Mr. Hrishikesh Patil for the respondent no.1.

Mr. A.D. Kamkhedkar, APP for the respondent
no.2/State.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 2, 2022

P.C.:

1. The complainant in a proceeding under section 138 of the Negotiable Instruments Act, 1881 has filed the present interim application seeking withdrawal of the amount deposited by the accused.

2. The applicant has deposited an amount of Rs.1,35,000/- (Rupees One Lakh Thirty Five Thousand Only) before the learned Sessions Court.

3. Considering the scheme of the NI Act and the fact that the accused has been convicted by both the Courts below, the

applicant has made out a case for grant of permission to withdraw the amount. Hence, following order:

The applicant is permitted to withdraw the amount of Rs.1,35,000/- (Rupees One Lakh Thirty Five Thousand Only) deposited by the accused before the learned Sessions Judge along with accrued interest, subject to filing an undertaking before this Court within four (4) weeks from today stating that in case the criminal revision application is decided against the applicant, he will reimburse the accused the amount withdrawn along with interest at the prevalent bank rate.

4. The interim application is disposed of in above terms. No costs.

(AMIT BORKAR, J.)