

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.490 OF 2020
IN REVN/153/2019**

SHIVAJI S/O. CHINTAMANRAO JAMKAR

VERSUS

GOVIND S/O. RAMBILAS BIYANI

...

Advocate for Applicant : Mr. M.P. Gandle

Advocate for Respondent : Mr. Sayyed Tauseef Yaseen

...

CORAM : S.G. MEHARE, J.

DATED : JULY 07, 2023

PER COURT:-

1. Heard the respective counsels.
2. The applicant is praying to allow him to withdraw the amount as it is towards legally enforceable debt.
3. Learned counsel for the respondent/accused opposed the application contending that the legal issues are yet to be decided.
4. There are two concurrent judgments against the respondent/accused holding him guilty and he was liable to pay the legally enforceable debt. The amount is unnecessary lying with the Courts. Hence, the following order :

ORDER

- i) The application is allowed.
- ii) The applicant is allowed to withdraw the amount of Rs.1,87,000/- lying with this Court and Rs.1,87,000/- deposited with

(2)

the learned Additional Sessions Judge, Beed, on the undertaking to deposit the said amount within 15 days if the judgment is reversed.

iii) List the criminal revision on 24.08.2023.

(S.G. MEHARE, J.)