

Uday S. Jagtap

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 160 OF 2019

Vikas Raosaheb Ransing .. Applicant

Vs.

Raosaheb Shamrao Deshmukh & Anr. .. Respondents

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Mr. Veerdhaval Kakade for the applicant

Mr. Ashok B. Tajane a/w Mr. Yotesh Thorat for the respondent no.1

Ms. G.P. Mulekar, APP for the respondent – State

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 20th DECEMBER, 2023

P.C.

1. By an order dated 13th December 2023, the Revision Application was disposed of in view of the Consent Terms tendered by the parties, which were taken on record and marked “X” for identification.

2. In the said order, this Court by relying upon the judgment of the Supreme Court in the case of *Damodar S. Prabhu Vs. Sayed Babalal H. (2010) 5 SCC 663* directed the applicant *inter alia* to deposit 15% of the cheque amount with the State Legal Services Authority within three weeks.

3. Learned Counsel for the applicant prays for modification of the order by exempting the applicant from payment of 15% of the cheque amount for the reason that the applicant is from a very poor background, who could arrange the amount of cheque by borrowing money from the relatives and friends.

4. Mr. Tajane, learned Counsel for the respondent – complainant submits that since the applicant and the respondent were friends, the prayer of the applicant may be considered sympathetically on humanitarian grounds.

5. Having considered the respective submissions and in the interest of justice, the order passed by this Court on 13th December 2023 be modified by deleting para 2.

6. The modified order be uploaded on the website.

7. The applicant need not deposit 15% of the cheque amount with the State Legal Services Authority.

(PRITHVIRAJ K. CHAVAN, J.)