

Ghuge

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

CRIMINAL REVISION APPLICATION NO.110 OF 2022

Vamdana Chandrakant Deshmukh ... Applicant
V/s.
Abhijit Tulshidas Jadhav and Anr ... Respondents

**WITH
INTERIM APPLICATION NO.3883 OF 2022**

Narayan Ganpatrao Jadhav (Deceased
Through his legal heirs) Abhijit
Tulshidas Jadhav ... Applicant
V/s.
Vandana Chandrakant Deshmukh and
Anr ... Respondents

**WITH
CRIMINAL REVISION APPLICATION NO.108 OF 2022**

Chandrakant Ramchandra Deshmukh ... Applicant
V/s.
Narayan Ganpatrao Jadhav (Deceased
Through his legal heirs) Abhijit
Tulshidas Jadhav and Anr ... Respondents

**WITH
CRIMINAL REVISION APPLICATION NO.109 OF 2022**

Chandrakant Ramchandra Deshmukh ... Applicant
V/s.
Narayan Ganpatrao Jadhav (Deceased
Through his legal heirs) Abhijit
Tulshidas Jadhav and Anr ... Respondents

**WITH
CRIMINAL REVISION APPLICATION NO.109 OF 2022**

Swami Vivekanand Adarsh Vikas
Shikshan Sanstha and Ors ... Applicants

V/s.

Narayan Ganpatrao Jadhav (Deceased
Through his legal heirs) Abhijit
Tulshidas Jadhav and Anr ... Respondents

Mr. Dheeraj Patil i/b Mr. Tejas Hilage for the applicant.

Mr. Aditya Raktade with Mr. Dnyanesh Patil for
respondent.

Mr. Arfan Sait, APP for the State.

CORAM : AMIT BORKAR, J.

DATED : MARCH 30, 2023

P.C.:

INTERIM APPLICATION NO.3883 OF 2022

1. The son of original complainant in a proceeding under Section 138 of the Negotiable Instruments Act, 1881 has filed present application for withdrawal of amount deposited by the accused in pursuance of order dated 8th September, 2022. The accused is disputing rights of applicant who is claiming to be legal representative of deceased complainant. In support of dispute, neither affidavit nor any document is filed. It is not in dispute that the present applicant is the son of deceased complainant.
2. In that view of the matter, the application to withdraw the amount deserves to be allowed.

3. The Interim Application is allowed in terms of prayer clause (a), subject to applicant filing undertaking in case revision is decided against the applicant he will reimburse the accused with amount withdrawn along with interest at prevalent bank rate.
4. List the Criminal Revision Applications on **27th April, 2023**.

(AMIT BORKAR, J.)