

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.448 OF 2022
WITH
INTERIM APPLICATION NO.113 OF 2022

Damu Balu Bhande

... Appellant/Applicant

V/s.

The State Of Maharashtra And Ors.

... Respondents

Mr. Vivek Salunke for Appellant/Applicant.

Mrs. S.D. Shinde APP for Respondent No.1-State.

Mr. Sachin Chavan for Respondent No.8.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.**

DATE : 17th JANUARY, 2023.

PC. :

1. Heard learned counsel for respective parties.
2. By present Appeal, Appellant has impugned attachment of the properties and the Auction Sale of the same dated 4th December, 2014 and the Sale Certificate dated 2nd July 2015 issued in favour of Respondent No.8 and for consequential reliefs thereof granted by the trial Court.
3. It is an admitted fact on record that, the trial arising out of MPID Special Case No.1 of 2003 has been concluded and all the Accused have been acquitted from the same. The trial Court has also passed final Order with respect to recovery of defalcated amount and its distribution to the investors.

4. In view of the above, according to us, present Appeal challenging the said Order is a sheer afterthought and also abuse of process of law.

Appeal is wholly misconceived and is dismissed in *limine*.

5. In view of dismissal of Appeal, Interim Application No.113 of 2022 does not survive and is also disposed off.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)