

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

**INTERIM APPLICATION NO.2281 OF 2023
IN
CRIMINAL REVISION APPLICATION NO.67 OF 2023**

Pushpanjali Balasaheb Shinde

.... Applicant
(Original Respondent)

IN THE MATTER BETWEEN :

Balasaheb Mahadeo Shinde

.... Applicant
(Original Applicant)

versus

Pushpanjali Balasaheb Shinde & Anr.

.... Respondent

.....

- Ms. Anita Yogesh Murgude i/b. Sonali Humane, Advocate for Applicant in IA/2281/23.
- Mr. Amol B. Jagtap, Advocate for original Applicant in REVN/67/23.
- Mr. N. B. Patil, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 28th JUNE, 2023

P.C. :

1. The Applicant has preferred this application for withdrawal of the amount deposited by her husband i.e. the original Applicant Balasaheb Shinde in Criminal Revision

Application No.67 of 2023. In the Revision Application on 14/03/2023 this Court (Coram : Amit Borkar, J.) had recorded that the Applicant Balasaheb was present in the Court. He was ready to deposit an amount of Rs.2 lakhs within one month and remaining amount as directed by the Additional Sessions Judge, within two months thereafter. The statement was recorded as undertaking.

2. Pursuant to the said order, the original Applicant Balasaheb Shinde had deposited Rs.2 lakhs within a period of one month from 14/03/2023 and thereafter has deposited Rs.2,50,000/-. Thus, he has deposited an amount of Rs.4,50,000/- in this case. The Amount is lying in the Court. Therefore, it would be in the interest of justice if the Applicant is permitted to withdraw the said amount subject to the outcome of the Revision Application filed by her husband Balasaheb Shinde.

3. Both the learned counsel submit that the Applicant in

this Interim Application has also preferred Criminal Writ Petition (ST) No.10889 of 2023 regarding the same subject matter. The said Petition shall be tagged along with the Criminal Revision Application No.67 of 2023 on the next date.

4. Hence, the following order :

ORDER

- (i) The Applicant is permitted to withdraw the amount of Rs.4,50,000/- which the original Applicant in Criminal Revision Application No.67 of 2023 has deposited in this Court.
- (ii) This withdrawal is subject to the final outcome of the Criminal Revision Application No.67 of 2023.
- (iii) Till the Revision Application is decided, the original Applicant Balasaheb shall continue making payment as per the directions of the Sessions Court.

- (iv) With these observations, the Interim Application is disposed of.
- (v) The Criminal Writ Petition (ST) No.10889 of 2023 to be tagged along with the Criminal Revision Application No.67 of 2023.
- (vi) The Criminal Revision Application be placed on board for further consideration on 03/08/2023.
- (vii) Ad-interim relief, if any, to continue till then.

(SARANG V. KOTWAL, J.)