

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

**INTERIM APPLICATION NO. 2692 OF 2022
IN
CRIMINAL REVISION APPLICATION NO. 258 OF 2022**

Sharad Jadhavji Shethia ... Applicant

In the matter between :

Sachidanand Sunder Shetty ... Applicant

Versus

Sharad Jadhavji Shethia & Anr. ... Respondents

Mr. Yashpal M. Thakur for the Applicant.

Mr. Tanvir Kazi i/by Apoorv Srivastav for the Respondent No.1
and for Applicant in REVN/258/2022.

Mr. H. J. Dedhia, APP for the Respondent No.2-State.

CORAM: R. N. LADDHA, J.

DATE : 27 SEPTEMBER 2023

P.C. :-

. The original complainant has filed this application to withdraw the amount of Rs.3,00,000/- that respondent No.1 has deposited.

2. The learned counsel for the applicant submitted that the cheque amount was Rs.3,00,000/-. The learned counsel for respondent No.1 opposed the applicant's withdrawal of the amount, on the apprehension that he might not deposit it back if

the Criminal Revision Application is successful. However, the apprehension of respondent No.1 can be taken care of by directing the applicant to give an undertaking to deposit the same amount if the Criminal Revision Application is successful.

3. In view thereof, the applicant is permitted to withdraw the aforesaid amount of Rs.3,00,000/- from the Registry of the Court of the learned Metropolitan Magistrate, 61st Court, at Kurla, Mumbai, on the condition that he submits an undertaking that he will deposit the same amount if the present Criminal Revision Application is successful.

4. The Interim Application stands disposed of in the aforesaid terms.

R. N. LADDHA, J.