

Pyarelal Shridhar Keer @ Pahalwan	..	Applicant
Versus		
Union of India & Anr.	..	Respondents

CRIMINAL APPEAL NO.351 OF 2015

Gurmeet Singh s/o. Harjinder Singh .. Appellant
Versus
Davinder Singh .. Respondent

CRIMINAL APPEAL NO.426 OF 2015

Pyarelal Shridhar Keer @ Pahalwan .. Appellant
Versus
Davinder Singh & Anr. .. Respondents

Ms.Zehera Charania for the Applicant in IA/695/23 and for the Appellant in APEAL/426/15.

Mr.S.R.Agarkar, A.P.P. for the State.

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CORAM: BHARATI DANGRE, J.
DATED : 08th MARCH, 2023

P.C:-

1. By the present interim application, the applicant seeks return of amount of Rs.5,00,000/- seized vide panchnama dated 08-09/05/2010.

The said application is filed in Criminal Appeal No.426 of 2015, which is pending for adjudication before this Court. The Appellant is convicted by the Special Court vide it's Judgment and Order dated 30/12/2014 and has been sentenced to suffer R.I. for a period of 15 years.

During the pendency of the trial, prosecution produced on record a document demonstrating that cash of Rs.5,00,000/- was deposited with the Pay and Accounts Office, Ministry of Home Affairs, New Delhi and the trial Court directed it to be credited to the Central Government Exchequer. It was also specifically observed by the trial Court that disposal of property shall take effect after one year from the date of the Judgment, if the Appeal is not preferred.

2. The relief which is sought by the Applicant vide the present interim application, deserve to be sought before the trial Court under Section 452 of Cr.P.C..

In the wake of the aforesaid legal scenario, the learned counsel seeks permission to withdraw the present application, with liberty to seek relief before the appropriate forum, by taking out an appropriate application.

Permission granted. The application stands disposed off as withdrawn, with liberty as prayed for.

(SMT. BHARATI DANGRE, J.)