



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPP) NO.1636 OF 2023
IN
CRIMINAL APPLICATION (ABA) NO.459 OF 2023 (D)

Amar s/o Prabhunarayan Singh
Vs.
State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Kabir Jhamb, Advocate h/f Mr. V. S. Mishra, Advocate for applicant.
Mr. Nikhil Joshi, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 01/12/2023

1. The application is for seeking permission to withdraw the amount of Rs.1,30,000/- which is deposited by the applicant in Criminal Application (ABA) No.459/2023.

2. It is submitted by the learned Counsel for the applicant that the amount alleged to be misappropriated is already returned back to the complainant and, therefore, the amount deposited by the present applicant be refunded to him. From the record, it reveals that present applicant approached to this Court for quashing of the FIR. The Division Bench of this Court allowed the applicant to withdraw the Criminal Application and liberty is granted to apply for discharge in case charge sheet is filed. Yet the applicant has not applied for the discharge. In view of that, it is not the

appropriate stage to consider the application of the present applicant.

3. Learned Counsel for the applicant seeks permission to withdraw the application with liberty to file afresh after discharge application is decided.

4. Application is dismissed as withdrawn, with liberty as prayed for.

(URMILA JOSHI-PHALKE, J.)