



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

CRIMINAL APPLICATION (APL) NO.1501/2023

Dhruv s/o Raghubansh Kumar Saxena and Ors. .Vs. State of Maharashtra and anr.

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

Court's or Judge's orders

Mr. S. G. Karmarkar, Advocate for applicants.
Mr. A. R. Chutke, A.P.P. for non applicant no.1.

CORAM : ANIL L. PANSARE, J.
DATE : 31.10.2023

The challenge is to the order dated 08.09.2023 passed by Sessions Court, Nagpur below Exh.-1 in Misc. Criminal Application No.189/2023, rejecting the application filed by the applicant-original complainant seeking to release the amount of Rs.62,00,000/- deposited by the accused in the Registry of the Supreme Court.

Having heard learned counsel for the applicant and the learned A.P.P, it appears that vide order dated 02.02.2023, the Hon'ble Supreme Court has noted that vide order dated 03.02.2022, the accused Rajesh Bansod was directed to deposit a sum of Rs.62,00,000/- while granting him interim protection. The order further indicates that the said amount has been deposited in the Registry of the Supreme Court and the Registry was directed to keep the amount in fixed deposit for a period of six months. Liberty was granted to the parties to seek for transfer of the amount to the concerned authority/Court at a future date.

In view of the above liberty, the counsel for the applicant submits that he moved an application for releasing the amount before the jurisdictional Sessions Court where the charge-sheet has been filed. The Sessions Court called report of the Nazir. The Nazir reported that the amount claimed has not been received by the Court. Accordingly, the Sessions Court has rejected the application.

To my mind, the applicant has approached the wrong forum for releasing the amount. The submission of the learned counsel for the applicant that the liberty has been given by the Hon'ble Supreme Court to approach the concerned authority/Court, would mean the jurisdictional Court, is misconceived. The learned counsel is better advised to read the order carefully and approach the appropriate forum.

There is no substance in the application. Hence, rejected.

(Anil L. Pansare, J.)