



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

969 CRIMINAL WRIT PETITION NO. 994 OF 2023

Vandana Chindu Bari @ Sonala Taboli.

... Petitioner

Versus

1. The State of Maharashtra.

2. Bharat S/o Ukha Patil.

... Respondents

...

Advocate for the Petitioner : Ms. Rutuja L. Jakhade

APP for Respondent/State : Mrs. Pratibha J. Bharad.

Advocate for Respondent No.2 : Mr. A. R. Syed.

...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 17th January, 2024.

P.C.:

1 Heard.

2 The petitioner seeks directions to set aside the order dated 26th June, 2023 passed by the learned Additional Sessions Judge, Shahada on an application at Exhibit-49 in Sessions Case No.49 of 2022, regarding disposal of the property, particularly, an amount of Rs.3,00,000/- to the extent of this petitioner.

3 The facts of the case are that, this petitioner blackmailed the informant on showing obscene images etc. and threatened to

defame him and collected total amount of Rs.9,00,000/-. Total amount is recovered during investigation. Out of it, Rs.3,00,000/- were recovered from this petitioner under Section 27 of the Indian Evidence Act. The learned Trial Court allowed the application submitted at Exhibit-49 and directed to handover the extortion amount to the informant on execution of supurtnama / bond of the same amount with direction to produce that amount before the Court as and when directed by the Court.

4 It is the prayer of the petitioner that the informant / respondent No.2 may not produce that amount during trial. Therefore, it is prayed to quash and set aside the impugned order. The learned counsel for petitioner submits that if that amount is not produced before the Trial Court, it will cause injustice to the petitioner. She lastly prayed to allow the writ petition.

5 The learned counsel for respondent No.2 strongly opposed the application and submitted that the order is conditional and respondent No.2 bound to follow it. It is lastly prayed to reject the petition.

6 Perused the FIR and the application at Exhibit-49, as well as, the impugned order. The order passed by the learned Trial Court is based on sound reasons and it is conditional one. Care is taken by the

learned Trial Court while passing that order by giving directions to execute supurtnama / bond of Rs.9,00,000/- and also to produce that amount before the Court as and when directed by the Court. There is no any illegality or perversity in the impugned order. The petition is devoid of merits. The same deserves to be dismissed. The criminal writ petition is, therefore, dismissed. No costs.

[SANJAY A. DESHMUKH, J.]

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