



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

979 CRIMINAL WRIT PETITION NO. 1667 OF 2023

SURESHCHANDRA JAGDISHPRASAD AGRAWAL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for the Petitioner : Mr. Sumit S. Agrawal.
APP for Respondent/State : Mr. Mukesh K. Goyanka.
...

CORAM : **SANJAY A. DESHMUKH, J.**
DATE : 17th January, 2024.

P.C.:

1 Heard the learned counsel for the petitioner and the learned APP for the State.

2 Clause [ii] of the operative part of the impugned order reads thus:

“[ii] It is hereby directed that, properties mentioned in application at Para No.3, be returned to the applicant, after tallying it with the say of A.C.B, Jalgaon, and bank's details given by the department, after taking Bank Guarantee of double amount from the applicant as well as after verification.”

3 The learned counsel for petitioner submitted that there is no justification for taking Bank Guarantee of double amount.

4 The learned APP submitted that the prosecution has no objection to handover the property after due verification on simple bond.

5 Considering these aspects and the fact that there are no directions for payment of interest on the amount of Rs.27,53,100/-, the impugned order is partly set aside in respect of taking Bank Guarantee of double amount from the petitioner. In addition to it, the petitioner is also entitle for the accrued interest on that amount from the date of seizure till the date of receiving of the amount.

6 With these observations, the writ petition is disposed of.

[SANJAY A. DESHMUKH, J.]

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