



Diksha Rane

915. APPLN 55-24.doc

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.55/2024

ZAKIR SIRAJ SAYYED

..APPLICANT

VS.

THE STATE OF MAHARASHTRA & ANR.

..RESPONDENTS

Adv. Sarfaraj J. Shaikh a/w. Adv. Toheed Maniyar, Adv.
Peerzade Abdulla for the applicant.

Smt. Megha Bajoria, APP for the State.

Adv. Harshada Shrikhande i/b. Adv. Shekhar & Co. for the
respondent no.2.

CORAM : M. S. KARNIK, J.

DATE : APRIL 24, 2024.

P.C. :

1. Heard learned counsel for the applicant and learned
counsel for the complainant- Mohammed Sohail Nazamuddin
Shaikh.

2. An affidavit has been filed by the applicant that upto
now an amount of Rs.10,00,000/- has been deposited out of
the total amount of Rs.15,50,000/-. The applicant in the
affidavit dated 22/4/2024 has stated that he is willing to
deposit an amount of Rs.5,50,000/- before the Special
Sessions Judge, Pune, within a period of one year from
22/4/2024.

3. Learned counsel for the complainant opposed the request. It is submitted that sufficient time was already granted despite which the applicant has failed to deposit the amount. It is further submitted that the complainant be permitted to withdraw the amount of Rs.10,00,000/- which has been deposited before the trial Court.

4. This Court had indicated that the request for one year period for depositing Rs.5,50,000/- is unreasonable. In this view of the matter, learned counsel for the applicant, on instructions, submitted that the amount of Rs.5,50,000/- will be deposited in the trial Court within a period of nine months from 22/4/2024. Statement is accepted. Time is extended accordingly. Learned counsel for the applicant further on instructions submitted that the applicant will have no objection for complainant to withdraw the amount of Rs.10,00,000/- which has been deposited with the trial Court. Further the applicant will have no objection for the complainant to withdraw the balance amount of Rs.5,50,000/- which will be deposited by the applicant with the trial Court within the period stipulated hereinabove. Statement is accepted. The trial Court to permit such

withdrawal.

5. The complainant is allowed to withdraw the amount of Rs.10,00,000/- which has been deposited before the trial Court. As per the statement of learned counsel for the applicant, the applicant will have no objection if the amount of Rs.5,50,000/- which is to be deposited is withdrawn by the complainant. The trial Court to permit such withdrawal upon the deposit so made.

6. Learned counsel for the complainant, on instructions, submitted that on the deposit of the entire amount, the complainant will co-operate with the applicant for quashing of the criminal case filed against the applicant. Statement is accepted. Parties to abide by the statements.

7. In this view of the matter, the application is disposed of.

(M. S. KARNIK, J.)