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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2842 OF 2024

Dilip Baburao Phad ...Applicant

Versus

The State of Maharashtra and Anr. ...Respondents

WITH
CRIMINAL REVISION APPLICATION NO.352 OF 2022
WITH
INTERIM APPLICATION NO.2977 OF 2022

Nageshwar Bangali Thakur ...Applicant

Versus

Dileep Baburao Phad and Anr. ...Respondents

Mr.Abhang Suryaanshi i/b. Mr.Narayan Rokade:-	Advocate for Applicant in IA No.2842 of 2024 and for Respondent No.1 in IA No.2977 of 2022.
Mr.Pratik Rahade:-	Advocate for Respondent No.2 in IA No.2842 of 2024 and for Applicant in IA No.2977 of 2022.

CORAM : S. M. MODAK, J.

DATE : 29th JULY 2024

P. C. :-

CRIMINAL REVISION APPLICATION NO.352 OF 2022

1. The Court of Judicial Magistrate First Class – Nashik has convicted the Applicant – Accused for the offence under Section 138 of the Negotiable Instruments Act, 1881 (“**NI Act**”). The sentence is till rising of the Court and fine of **Rs.1,80,000/-** (Rupees One Lakh Eighty Thousand Only). Out of that, an amount of **Rs.1,00,000/-** (Rupees One Lakh Only) is deposited before the trial Court as per the order of this Court.

INTERIM APPLICATION NO.2842 OF 2024

2. The Complainant has filed this Interim Application for withdrawal. Learned Advocate for Applicant is consenting. Hence, order:-

ORDER

- (i) **Interim Application is allowed** in terms of prayer clauses (a) and (b).
- (ii) The **Complainant – Dilip Baburao Phad is permitted** to **withdraw** the amount of **Rs.64,000/-** (Rupees Sixty Four Thousand Only) deposited before the Court of JMFC – Nashik along with interest, if any and also permitted to withdraw the amount of **Rs.36,000/-** (Rupees Thirty Six Thousand Only) deposited before the Appellate Court along with interest, if any.

INTERIM APPLICATION NO.2977 OF 2022

3. Learned Advocate for the Applicant assures that the remaining amount of **Rs.80,000/-** (Rupees Eighty Thousand Only) will be paid within four (4) weeks.
4. In view of that, stand over to **9th September 2024**. To be listed for “**Directions**”.

[S. M. MODAK, J.]