

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

CRIMINAL WRIT PETITION NO. 6025 OF 2024

Mr. Vilas Chandrakant Gaokar

...Petitioner

Vs.

Mr. Kumarpal Hastimal Kothari And Anr.

...Respondents

Mr. Pramod Kathane a/w Mr. Amol Ghurde and Mr. Manohar S. Mandarkar for the Petitioner.

Mr. Jatin P. Karia (Shah) a/w Adv. Snehankita Munj, Adv. Shraddha Kamble & Adv. Preeti S. G. for the Respondent No.1.

Mr. N. B. Patil, APP for the Respondent No.2-State.

CORAM : SHYAM C. CHANDAK, J.

DATED : 20th DECEMBER, 2024

P.C. :-

. The learned Advocate for the parties state that, settlement is not possible. Further, the learned Advocate for the Petitioner states that, the Petitioner would deposit the balance amount of Rs.4,50,000/- on or before 31st December, 2024, as compliance of the Order of Suspension of the Petitioner's sentence, under Section 389 of Cr.P.C. in Criminal Appeal No.773/2023.

2) Said statement is accepted as an undertaking to this Court.

3) Learned Advocate for the Respondent No.1 seeks permission to withdraw the entire amount of Rs.8,00,000/- i.e. Rs.3,50,000/- deposited earlier *vide* Order dated 18th October, 2024 and Rs.4,50,000/-

that would be deposited as directed above. Learned Advocate for the Petitioner has no objection for the same. Hence, Respondent No.1 is at liberty to file necessary Application before the Appellate Court, seeking withdrawal of the entire amount. It is for the Appellate Court to pass necessary directions for refund of the said amount depending upon the outcome of the Appeal.

4) Ad-interim relief granted earlier, shall continue to operate till the next date subject to depositing Rs.4,50,000/- as stated above failing which the interim relief shall stand automatically vacated, without further reference to the Court.

5) Stand over to **22nd January, 2025.**

(SHYAM C. CHANDAK, J.)