

Amberkar

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

**INTERIM APPLICATION (ST) NO. 20679 OF 2024
IN
CRIMINAL REVISION APPLICATION NO. 178 OF 2024**

Hemant Chandrashekhar Kadrekar

Applicant

.. (Org. Accused)

Versus

Late Shri. Syed Anwar Rizvi through legal heirs
& Ors.

Respondents

.. (Org. Complainant)

.....

- Mr. Vivek Yadav for Applicant
- Ms. Juhi Jadhav for Respondent Nos. 1(a) to 1(c)
- Ms. Sangita E. Phad, APP for State

.....

CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 19, 2024

P. C.:

1. Heard learned Advocates appearing for parties.
2. Present Interim Application seeks withdrawal of Rs. 4,50,000/- which has been deposited by Revision Applicant. Out of the said amount, Rs. 3,60,000/- is deposited in the Trial Court whereas Rs. 90,000/- is deposited in Sessions Court. Withdrawal is sought by Respondent Nos. 1(a) to 1(c) who are legal heirs of original complainant who has expired in the interregnum.
3. Mr. Yadav, learned Advocate appearing for Applicant accused does not have any objection whatsoever in granting the present

Application and permitting withdrawal of the amount deposited by the Applicant as above.

4. Perusal of the Interim Application shows that Respondent Nos. 1(b) and 1(c) have given their no-objection to Respondent No. 1(a) - Anju Syed Anwar Rizvi to withdraw and receive the entire amount in her bank account. Details of bank account of Respondent No. 1(a) are as under:-

Name of Account Holder	: Anju Syed Anwar Rizvi
Name of the Bank & Branch	: State Bank of India, Airoli Branch, Navi Mumbai.
Account No.	: 36951967504
IFSC Code	: SBIN0018267
MICR Code	: 400002361

4.1. Reason for giving details of bank account of Respondent No. 1 is only to ensure that present order is complied with by both the Courts below expeditiously.

5. Learned Trial Court i.e. Judicial Magistrate First Class, C.B.D. Belapur, Dist. Thane is directed to complete all formalities and pay over / allow Respondent No. 1(a) to withdraw and transfer amount of Rs. 3,60,000/- along with all accrued interest therein which has been deposited in that Court by the accused in S.C.C. No. 1498/2018 in the aforementioned account of Respondent No. 1(a) within a period of one week from receipt of server copy of this order which shall be

presented before the Registry of that Court by the Respondents. Registry of that Court shall not insist on a certified copy of this order and shall act on server copy of this order.

6. Similarly learned Sessions Court at Belapur which has heard Criminal Appeal No. 233 of 2023 before onset of the said Appeal is directed to transfer amount of Rs. 90,000/- along with all accrued interest therein which has been deposited in that Court by accused in the aforementioned account of Respondent No. 1(a) within a period of one week from receipt of server copy of this order which shall be presented before the Registry of that Court. Registry of that Court shall not insist for a certified copy of this order and shall act on server copy of this order.

7. Interim Application stands allowed and disposed in terms of prayer clauses (a) and (b).

Amberkar

[MILIND N. JADHAV, J.]

RAVINDRA
MOHAN
AMBERKAR
Digitally
signed by
RAVINDRA
MOHAN
AMBERKAR
Date:
2024.11.19
18:07:09
+0530