



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION NO.1187 OF 2024
IN
CRIMINAL APPLICATION (ABA) NO.65 OF 2019
(Vijay s/o Tulsiram Dangre Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.J. Bhoot, Advocate for the applicant.
Ms S.S. Dhote, APP for the State.
Mr. V. Awchat, Advocate for intervenor.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- OCTOBER 4, 2024.

By this application, the applicant is seeking permission for withdrawal of the amount of Rs.30.00 lakhs as per the memorandum of understanding dated 18/07/2020.

2. The accused - Vijay Tulsiram Dangre had approached to this Court for grant of anticipatory bail in connection with Crime No.16 of 2019 registered with police station Sakkardara, Nagpur for the offence punishable under Sections 420, 409, 467, 468, 471, 504 and 506(b) of the Indian Penal Code. While considering this application, this Court has granted the interim protection as the accused has deposited an amount of Rs.2.00 Crore before this Court. During the pendency of investigation, the applicant and the accused entered into an agreement and they have executed memorandum of understanding. As per the said memorandum of understanding, the applicant herein namely - Heera wd/o

Yashwant Dalal is entitled for the amount of Rs.35.00 lakhs out of which Rs.5.00 lakhs she has already received and remaining Rs.30.00 lakhs she is entitled to receive.

3. The accused has no objection for the same. Learned APP raised objection on the ground that trial is to be conducted and at this stage it would not be appropriate to relieve the amount.

4. I have heard learned Counsel for both the parties. Perused the memorandum of understanding from which both parties have already agreed to pay the amount, out of that Rs.5.00 lakhs the applicant - Heera wd/o Yashwant Dalal has already received. She is entitled to receive the amount of Rs.30.00 lakhs along with the accrued interest. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order :

(i) The application is allowed.

(ii) The applicant – Heera wd/o Yashwant Dalal is entitled for the amount of Rs.30.00 lakhs along with the accrued interest on Rs.30.00 lakhs.

(iii) The office to disburse the said amount on due identification and verification.

5. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)