



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

CRIMINAL APPLICATION (APPA) NO.725 OF 2024

(Jawaharlal s/o Shrilal Dubey and others Vs. The State of Maharashtra thr. Anti
Corruption Bureau, Amravati, Tah. & Dist. Amravati)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. Anil Mardikar, Senior Advocate with Mr. V. R. Deshpande, Advocate
for Applicants.
Ms. S. S. Dhote, APP for Non-Applicant/State.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 5th SEPTEMBER, 2024.

Heard.

2. By this application, the appellant is seeking stay to the condition which is imposed in the operative part of the judgment dated 06.07.2024 passed by the learned Special Judge, Amravati under Prevention of Corruption Act and Additional Sessions Judge, Amravati in Special Case No.11/2005 during the pendency of the present criminal appeal.

3. On perusal of the judgment and operative portion it reveals that the learned trial Court directed accused no.1 – Jawaharlal Dubey, accused no.2 – Sau. Mangalabai w/o Jawaharlal Dubey, accused no.5 – Vishal s/o Jawaharlal Dubey, Vishal and accused no.6 – Vishwas s/o Jawaharlal Dubey to deposit Rs.50 lakh jointly and

severally in a Court in view of the forfeiture/attachment of property within two months from today which is credited to the government after appeal period is extended. Said condition is challenged by preferring this appeal, I have perused the judgment, however, to come her conclusion this condition is imposed on the basis of evidence, it is necessary to go through the evidence and the exhaustive hearing is given to the party on this aspect. In view of that the period given by the trial court to deposit the amount is extended by one month.

4. Stand over after two weeks.

5. The Registry is directed to verify whether the copies of deposition as filed along with the application for suspension is already disposed of. Inform the learned trial court regarding the extension of the period.

(URMILA JOSHI-PHALKE, J.)