

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO.280 OF 2024

Nitin Narayan Bagade & Ors.	...Applicants
<i>Versus</i>	
Minal Nitin Bagade & Anr.	...Respondents

Mr. Amar Gharte, for the Applicants.
Mr. A. D. Kamkhedkar, APP, for the Respondent No.2-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 13th FEBRUARY 2025

PC:-

1. Heard Mr. Amar Gharte, learned Counsel appearing for the Applicants and Mr. A. D. Kamkhedkar, learned APP appearing for the Respondent No.2-State.

2. Mr. Amar Gharte, learned Counsel appearing for the Applicants states that the Registry be directed to accept his Vakalatnama without N.O.C. of earlier Advocate appearing for the Applicants, as the said Advocate is in jail. Accordingly, Registry is directed to accept Vakalatnama of Mr. Amar Gharte, learned Advocate on behalf of the Applicants.

3. The challenge in the present Revision Application filed under Article 227 of the Constitution of India is to the order dated 6th April 2024 passed by the learned Judge, City Civil and Sessions Court, Mumbai in Appeal No.607 of 2023.

4. Mr. Gharte, learned Counsel, on the instructions of the Applicant No.1, who is personally present in Court states that Rs.1,50,000/- will be deposited within a period of one week from today in the Court of learned Metropolitan Magistrate, 49th Court, Vikhroli, Mumbai in Criminal Miscellaneous Application No.1347 of 2024. He further states that an amount of Rs.7,500/- per month will be deposited for the period from 1st March 2025 onwards on or before 10th of each month in the said proceedings. The said statements made by Mr. Gharte, learned Counsel, on the instructions of the Applicant No.1 who is personally present in Court, are accepted as undertakings given to this Court.

5. The Respondent No.1 is permitted to withdraw the said amount, if deposited by the Applicant No.1.

6. Accordingly, in view of the said statements made by Mr. Gharte, learned Counsel appearing for the Applicants, issue notice to the Respondents, returnable on **13th March 2025**.

7. In addition to the Court notice, the Applicants to serve the Respondents by private service and file affidavit of service before the returnable date.

8. Till next date, ad-interim relief in terms of prayer clauses (b) and (c).

9. Till next date, execution proceedings pending before the learned Metropolitan Magistrate, 49th Court, Vikhroli, Mumbai shall also remain stayed.

10. It is clarified that if, the Applicant No.1 commits any default in making payment of amount as noted above, then the stay granted by this order shall stands vacated forthwith.

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[MADHAV J. JAMDAR, J.]