

Ashish

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

**INTERIM APPLICATION NO. 148 OF 2025
IN
CRIMINAL REVISION APPLICATION NO.464 OF 2024**

Usha Mohandas	... Applicant
V/s.	
Chitra Chandan Pillai	... Respondent

Mr. Manoj Prasad Bhatt, for the applicant in IA No. 148 of 2025.

Ms. Surabhi Agrawal, for the applicant in Revision Application No.464 of 2024.

Ms. Anagha Deshmukh, APP for -State.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 7, 2025

P.C.:

1. The applicant is the original complainant in proceedings instituted under Section 138 of the Negotiable Instruments Act, 1881. The present Revision Application has been filed by the accused, who stands convicted by both the Trial Court and the Appellate Court.
2. The cheque in question is of Rs. 14,40,000/-. Out of the said amount, a sum of Rs. 3,10,000/- was deposited before the District Court, which the applicant has already withdrawn.
3. While admitting the present Revision Application, this Court directed the accused to deposit an additional sum of Rs.

2,00,000/-. The said amount has been duly deposited by the accused.

4. The applicant has now filed the present application seeking withdrawal of the aforesaid amount of Rs. 2,00,000/-.

5. Considering the nature of proceedings under Section 138 of the Negotiable Instruments Act, the fact that the applicant is the complainant, and that the deposit is made pursuant to the order of this Court, the applicant has made out a case for withdrawal of the amount, subject to appropriate safeguards.

6. The application is accordingly allowed in terms of prayer clause (a). The applicant shall, before withdrawing the amount, file an undertaking before this Court stating that in the event the Revision Application is decided against him, he shall refund the withdrawn amount along with applicable bank interest within a period of eight weeks from the date of such decision.

(AMIT BORKAR, J.)