



(1)

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

CRIMINAL REVISION APPLICATION NO.192 OF 2024

Radhshyam Dattarao Bhoje,
Aged about 60 Years,
Occupation : Service,
R/o. Injigo Colony,
Gandhi Nagar, Pusad,
Taluka Pusad, District Yavatmal.

..... APPLICANT

// VERSUS //

Shailesh Tukaram Damble,
Aged about 62 Years,
Occupation : Retired,
R/o. Mahadeo Mandir,
Subhash Ward, Pusad,
Taluka Pusad, District Yavatmal.

.... NON-APPLICANT

Mr. R. S. Kurekar, Counsel for Applicant.
Mr. Amol Deshpande, Counsel for the Non-applicant.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 17.01.2025

ORAL JUDGMENT :

1. By preferring this revision, applicant has challenged the order passed by the learned Additional Sessions Judge, Pusad, District Yavatmal, rejecting the application for seeking permission to deposit the amount of Rs.60,000/- before it and issued the non-bailable warrant against the present applicant.

2. It is submitted by the learned Counsel for the applicant that the present applicant has preferred an appeal against the Judgment and order of sentence passed in Summary Criminal Case

(2)

No.214/2023 dated 20.02.2024 thereby convicted the applicant to suffer simple imprisonment for a period of four months and also directing him to pay compensation under Section 357(3) of Cr.P.C. to the tune of Rs.4,00,000 in 4 equal installment of each within two months from the date of order. In default, shall suffer simple imprisonment.

3. While suspending the sentence, the learned trial Court directed to deposit Rs.80,000/- within the period of ten days. The applicant had already deposited the amount of Rs.20,000/-, but he could not deposit the amount of Rs.60,000/- during the stipulated period and subsequently, he filed an application before the Appellate Court for seeking permission to deposit the amount which was rejected and non-bailable warrant was issued. During the pendency of this application, the applicant has already deposited the amount of Rs.60,000/- before this Court. Considering this fact, the non-applicant is permitted to withdraw the amount which is deposited by the present applicant and non-bailable warrant issued by the learned Additional Sessions Judge, Pusad, District Yavatmal, is hereby cancelled in the above terms.

4. The revision application is disposed of.

(URMIL A JOSHI-PHALKE, J.)