

ORDER BELOW EXH.13 IN CRI.M.A.No.17/2024
(Jagannath Bhimrao Masal Vs.Dattatrya S.Chavan)
(CNR No.MHSN17002572020)

1. This is an application filed by the respondent for paying amount of Rs.40,000/- deposited by the applicant while suspending the sentence. Perused the application. The applicant has not filed say on the application.

2. It reveals from the record that while passing order below Exh.5 dt. 25.05.2023 my learned predecessor directed the applicant to deposit 20% of the fine amount in the Court. Thereafter, the applicant has deposited part amount of Rs.40,000/- in the Court vide C No.64 dt.05.08.2023. While passing impugned order, Ld. Trial Court has directed in his operative order that, if amount of fine is deposited, the same be given to the complainant as amount of compensation. In view of the provisions under section 148 of the Negotiable Instruments Act, the appellate Court may direct the release of the amount deposited by the appellant to the complainant at any time during the pendency of the appeal. Therefore, respondent/complainant is entitled to receive part amount of Rs.40,000/- deposited by the applicant in the Court. Hence, I pass the following order.

ORDER

1. Application Exh.13 is allowed.
2. The cash and finance department of this Court is directed to pay amount of Rs.40,000/-

deposited vide C.No.64/05.08.2023 to respondent No.1 (original complainant) on due identification and verification.

3. Proceeding of application Exh.13 is closed.

Vita
dt.08.01.2025

(R.R.Bhagwat)
Addl. Sessions Judge,Vita.

CERTIFICATE

I affirm that, the contents of this P.D.F. file, are same word to word, as per the original order/judgment.

Name of Stenographer	: S.V.Agnihotri (Steno Grade-I)
Court	: DJ-1 & Addl. Sessions Judge,Vita
Date of order	: 08.01.2025
Signed by Presiding officer on	: 08.01.2025
Uploaded on	: 08.01.2025