

Order Below Exh.110 in SPECIAL CASE NO.244/2024

(State of Maharashtra Vs. Rushikesh A.Bartakke etc.,)

CNR NO.MHSN170047032020

01. This application is filed by first informant/complainant for payment of amount of Rs.10.00 lacs deposited by accused No.1 Rushikesh Ashok Bartakke in the Court.

02. Ld.Adv.Shri V.V.Chavan for the complainant/first informant submitted that as per directions of Hon'ble Bombay High Court in Cri.Bail Appln.No.1096/2023 dt. 26.09.2023 amount deposited by accused required to be paid to the complainant. Whereas Ld.Adv.Shri N.T.Nalwade for the accused No.1 also orally submitted that in view of order of Hon'ble Bombay High Court he is having no objection for payment of Rs.10.00 lacs deposited by accused to the complainant.

03. While perusing copy of order passed by Hon'ble Bombay High Court in Cri.B.A.No.1096/2023 filed by accused No.1 Rushikesh Ashok Bartakke dt. 26.09.2023 and more particularly clause No.(h) of the operative part of the said order Hon'ble Bombay High Court has directed that if application is made by complainant then same shall be decided in accordance with law. Ld.Advocate for the accused No.1 has also given no objection to the complainant for withdrawing said amount.

04. It appears that accused has deposited Rs.10.00 Lacs in the Court vide C No.74 dt. 30.03.2024.

05. Hence, in view of direction of Hon'ble Bombay High Court and no objection by Ld.Advocate for the accused amount needs to be paid to the complainant/first informant. Hence, following order is passed :-

ORDER

1. Application is allowed in following terms.
2. Amount deposited by accused No.1 Rushikesh Ashok Bartakke

vide C No.74 dt. 30.03.2024 be paid to the complainant subject to following condition precedent.

(I) Complainant shall execute indemnity bond of Rs.10.00 Lacs to the effect that he shall deposit above amount as and when this Court direct to him.

VITA
Date : 30-04-2024

(D.Y.GAUD),
District Judge – 1, Vita.

CERTIFICATE

I affirm that, the contents of this PDF File Order are same, word to word, as per the original order.

Name of Stenographer	S.V.Agnihotri, Stenographer Grade - I
Name of Court	District Judge-1 & Addl Sessions Judge,Vita.
Date of Order	20.04.2024
Judgment / order signed by the Presiding Officer	20.04.2024
Order uploaded on	20.04.2024