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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.A. 166/2017

BIBIANUS TOPPO

..... Appellant

Through Mr. R. Ramchandran, Advocate with
Petitioner-in-person

versus

CENTRAL BUREAU OF INVESTIGATION Respondent

Through Mr. Sanjeev Bhandari, SPP for CBI

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **08.11.2017**

CRL.M.A. 15464/2017 (Release of FDR)

The appellant/applicant has sought release of the FDR of Rs. 55,000/- deposited by him before the Trial Court over which the Trial Judge has put a lien.

During the investigation, certain documents including NSC's and cash amount of Rs. 55,000/- were seized from the house of the appellant/applicant. The bank account of the applicant was also put on freeze during the process of investigation.

Later, during the course of trial, on an application made by the applicant/appellant, his bank account was de-freezed and amount of Rs. 55,000/- was returned to him after the appellant/applicant submitted an FDR of an equivalent amount over which lien was marked by the learned Trial Court.

The appellant has now been convicted and his appeal is pending before this court.

Mr. Sanjeev Bhandari, learned SPP has submitted that the CBI has no objection to the release of the FDR during the pendency of the appeal.

The appellant/applicant is directed to appear before the Trial Court within a period of two weeks from today, when, on satisfaction, the Trial Court shall release the FDR of Rs. 55,000/- after removing the lien.

In the meantime, the FDR of Rs. 55,000/- which was part of the Trial Court record which was summoned by this Court, be sent back to the Trial Court.

The Trial Court shall also take an endorsement of the appellant of his having received the aforesaid FDR of the amount of Rs. 55,000/-.

The application is disposed off accordingly.

Dasti.

ASHUTOSH KUMAR, J

NOVEMBER 08, 2017
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