

ITEM NO.20                      Court 10 (Video Conferencing)                      SECTION II-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 3754/2021

(Arising out of impugned final judgment and order dated 26-04-2021 in ABA No. 310/2021 passed by the High Court Of Judicature At Bombay At Aurangabad)

ANIL CHABILDAS CHAUDHARI                      Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA                      Respondent(s)

(FOR ADMISSION and I.R. and IA No.62088/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.62090/2021-EXEMPTION FROM FILING O.T. )

Date : 21-05-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s)

Mr. Shivaji M. Jadhav, AOR  
Ms. Astha Deep, Adv.  
Mr. Brij Kishor Sah , Adv.  
Ms. Qurratulain, Adv.  
Mr. Nicholas Choudhury, Adv.  
Mr. Aditya S. Jadhav, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Though, ordinarily, we are not inclined to allow the process of criminal law to be used for mere money recovery purposes but looking to the facts of the present case and several other comments made by the High Court in the order impugned, as at present, we are of the view that if the petitioner deposits the entire of the amount of Rs. 60,70,000/- (Rupees Sixty Lakhs Seventy Thousand

Only) that was admittedly received by him on 19.10.2019 in the Trial Court where the Civil Suit is pending, we may examine all other contentions of the petitioner at the appropriate stage.

The petitioner is granted time to make the deposit latest by Monday, i.e. 24.05.2021.

If the petitioner fails to deposit the amount, as required by this Order and furnish proof of such deposit, this petition and pending applications shall stand dismissed without further reference to the Bench and there shall not be any requirement of placing the same for any further order before the Court.

However, if the petitioner furnishes proof of deposit, this petition may be placed for consideration on 25.05.2021.

(DEEPAK SINGH)  
COURT MASTER (SH)

(BEENA JOLLY)  
COURT MASTER (NSH)