

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 454 OF 2017

Suresh Gangaram Agarwal & anr.	... Applicants.
Versus	
The State of Maharashtra.	... Respondent.

Mr. Niranjan Mundargi i/b. Mr. Santosh Musale, advocate for Applicant.

Mr. Arfan Sait, APP for State.

Mr. Sanjay Bonde, PI, Narpoli Police Station, Bhiwandi.

**CORAM : SMT. SADHANA S. JADHAV, J
DATE : MARCH 15, 2017**

P.C.:

1 At the outset the learned APP has placed on record the photo copy of the non-bailable warrant issued against the applicant in Crime No. 380 of 2016. Once non-bailable warrant is issued, this Court is not inclined to consider application under section 438 of the Code of Criminal Procedure, 1973.

2 In view of this, learned Counsel for the applicant upon instructions seeks liberty to withdraw the application. Liberty as prayed for is granted. Learned Counsel submits that the applicant would appear before the Second Joint C.J.J.D. & J.M.F.C., Bhiwandi on or before 18th March, 2017 and pray for cancellation of non-bailable warrant.

3 It is made clear that the application has not been heard on merits. Non-bailable warrant is kept in abeyance till 5 p.m. to 18th March, 2017.

4 The application stands dismissed as withdrawn and disposed of accordingly.

(SMT. SADHANA S. JADHAV, J)