

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

CRIMINAL APPLICATION NO.683 OF 2013

The State of Maharashtra Applicant
(Orig. Opponent)

Versus

Pattupara Thankappan Girimon ... Respondent
(Orig. Applicant)

Mr.Y.M. Nakhwa, APP for State.

Mr. Rohan P. Surve, Advocate for respondent.

CORAM : MRS.MRIDULA BHATKAR, J.

DATE : 16th FEBRUARY, 2017.

P.C. :

1. This application is moved for cancellation of pre-arrest bail which was granted by the learned Additional Sessions Judge, Pune, by order dated 26/09/2013 in B.A. No.2122/13, wherein the respondent/accused is facing charge u/s 420, 406 r/w 34 of the Indian Penal Code, registered with Lonavala City Police Station in C.R.No.70/13.

2. It was submitted by the learned prosecutor that at the time of opposing the anticipatory bail, it was pointed out by the

Investigating Officer that he wanted to collect the agreement dated 15/10/2010 and so also other documents from the respondent/accused. Under such circumstances, considering the misappropriation to the tune of Rs.1,35,00,000/-, anticipatory bail ought not to have been given to the respondent/accused.

3. The learned counsel for the respondent has submitted that in this case the complainant has filed arbitration proceedings u/s 11 of the Arbitration Act and Arbitrator is appointed by this Court.

4. This is a case of year 2013. Hopefully charge-sheet must have been filed by the Investigating Officer. No ground is made out to set aside the order. Hence, application stands dismissed.

(MRIDULA BHATKAR, J.)