

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

**ANTICIPATORY BAIL APPLICATION No. 840 OF 2018**

**Punit Vijay Wadhwani**

**...Applicant**

**Vs.**

**State of Maharashtra**

**...Respondent**

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Mr. Karan Bhosle- NDB Law for Applicant

Ms. Veera Shinde -APP

Mr. S.B. Khedkar, API, Vimantal Police Station, Pune

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**CORAM : SMT. SADHANA S. JADHAV, J.**

**DATE: JUNE 26, 2018**

**P.C.**

1. By an order dated 24<sup>th</sup> April, 2018, this Court [Coram: P.N. Deshmukh, J.] had granted interim relief so as to facilitate further investigation and the matter was scheduled to be heard on 7<sup>th</sup> June, 2018.

2. The learned APP fairly submits that the investigating officer in Crime No. 456 of 2017 registered at Airport Police Station of i.e. Mr. Pratap Kolke is now transferred to Kolhapur and that he had formerly arrested the Applicant and had enlarged him on bail on furnishing P.R. Bond of Rs.50,000/-.

3. The learned counsel for the Applicant submits that he had no knowledge

about the same.

4. The learned APP submits that due to the said act of the said officer, neither the investigation is facilitated nor the amount which was the proceed of the crime could be recovered.

5. However, since the Applicant is enlarged on bail, this Court cannot set aside the same in the absence of any application by the State. It is noticed that recently most of the investigating officers are misreading the order passed by the Hon'ble High Court while granting interim relief and had formerly arrested the accused and enlarged on bail. In fact, the interim relief is subject to final hearing and would depend on the submissions made by the APP and the papers of investigation. This modus operandi hampers the process of investigation. Hence, the learned APP submits that she would communicate the same to the Commissioner of Police, Pune as well as to the Superintendent of Police, Kolhapur and both the authorities shall see that the police officers do not misread the interim orders passed by this Court.

6. In view of this, the application is allowed and stands disposed of.

**[SMT. SADHANA S. JADHAV, J.]**