

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

ANTICIPATORY BAIL APPLICATION NO.791 OF 2021

Neeraj Baldev Walia & Ors.	 Applicants
versus	
State of Maharashtra	 Respondent

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- Mr.V. V. Purwant i/b. Sagar M. Kursija, Advocate for Applicant.
- Smt. J. S. Lohokare, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 25th MARCH, 2021

P.C. :

1. The Applicants have preferred this application u/s 438 of Cr.P.C. seeking anticipatory bail in anticipation of their arrest in respect of offences which are not yet registered. The prayer in the memo mentions names of 13 people who are likely to lodge FIR in respect of some transaction in respect of Plot No.32, DII Block, Pimpri Industrial area, Village Akurdi, Taluka Haveli, District Pune. The Applicant had made similar application before the Court of Sessions, Pune, vide Anticipatory Bail Application No.504 of 2021, which was rejected on 06/02/2021. After such rejection, the Applicants have approached this Court by way of present application.

2. Heard Mr.V. V. Purwant, learned counsel for the Applicant and Smt. J. S. Lohokare, learned APP for the State.
3. The main contention of the Applicant is that one FIR after the other is lodged and there are further possibilities of registration of similar FIRs and therefore protection is sought.
4. I have heard parties. I have perused papers of investigation in other FIRs. Having considered the submissions, I expressed my disinclination to grant relief at this stage, when the FIRs are not even registered. In the facts of this particular case, at this stage, when I expressed my disinclination to grant relief, the learned counsel for the Applicant sought unconditional withdrawal of this application. However, he submitted that when the fresh offences are registered against the Applicants, they may be permitted to approach the Court of Sessions for similar relief of anticipatory bail. He further submitted that rejection of Anticipatory Bail Application No.504 of 2021 and withdrawal of this application, should not come in

their way when their applications are decided in future. This prayer is reasonable. In any case it is their right to approach the appropriate Court for relief of anticipatory bail after an FIR is lodged. Therefore this prayer can be granted.

5. Hence, the following order :

ORDER

- (i) The application is allowed to be withdrawn unconditionally.
- (ii) The Applicants are at liberty to approach the appropriate Court for relief of anticipatory bail, in case, in future, offences are registered in respect of transaction related to Plot No.32, DII Block, Pimpri Industrial area, Village Akurdi, Taluka Haveli, District Pune. Such applications shall be decided in accordance with law without being influenced by withdrawal of this application and rejection of Anticipatory Bail Application No.504 of 2021 by Sessions Court, Pune.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)