

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

**ANTICIPATORY BAIL APPLICATION NO. 1102 OF 2020
(ABA/ST/7487/2020)**

Dnyaneshwar Bira Gawade

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Satyaram R. Gaud for Applicant.

Mr. S. H. Yadav, APP for State/Respondent.

Mr. Sumit Raghani for original complainant.

Mr. Vijay Chaure, P. I., EOW-Unit-3, Mumbai, present.

CORAM : SARANG V. KOTWAL, J.

DATE : 05th JANUARY, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 80 of 2017 investigated by Economic Offence Wing, Division-3, Mumbai for the alleged offence punishable under sections 409 and 420 of the Indian Penal Code (for short 'IPC').

2. At the outset, the learned APP, on instructions of Investigating Officer Mr. Vijay Chaure, P. I. makes a categorical

statement that, as of today the applicant is not considered as an accused in this case and in case some incriminating material is found against him and if he is to be arraigned as an accused, then the applicant will be given a notice at least 72 hours of working days before his arrest to enable him to approach the appropriate court for the same relief of anticipatory bail. This statement is recorded and accepted.

3. The learned counsel for the applicant on the basis of this statement prays for withdrawal of this application.

4. Hence, this application is allowed to be withdrawn on the basis of statement made by learned APP. and is disposed of, as such.

(SARANG V. KOTWAL, J.)