

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.653 OF 2022

Sarang Wadhawan .. Applicant

Versus

Directorate of Enforcement & Anr. .. Respondents

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Mr.Subir Kumar with Mr.Shahbaz Malbari i/b Mr.Syed Ahmed
for the Applicant.

Mrs.Rutuja Ambekar, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE, J.

DATED : 28th FEBRUARY, 2022

P.C:-

1. The learned counsel for the applicant has moved a praecipe, seeking withdrawal of Bail Application No.653 of 2022, which came to be filed on 16/02/2022. This withdrawal is sought in the wake of the order passed by the Hon'ble Supreme Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation (Misc.Application No.1849 of 2021 in SLP (Crl) No.5191 of 2021 decided on 16/12/2021)** wherein the position of law to the effect that, if during the course of investigation, there has been no cause to arrest the accused, merely because a charge-sheet is filed, would not be an *ipso facto* cause to arrest the petitioner, as was clarified in the case of **Siddharth Vs. State of Uttar Pradesh & Anr.**

(Criminal Appeal No.838 of 2021 decided on 16/08/2021),
came to be reiterated.

2. In the wake of the aforesaid position of law, being in existence when the application was filed, the learned counsel for the applicant seeks permission to withdraw the application with liberty to approach the Special Court under the PMLA Act.

3. The application is permitted to be withdrawn in the wake of the existing legal position, with liberty as above.

(SMT. BHARATI DANGRE, J.)