

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

**INTERIM APPLICATION NO.762 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO.1813 OF 2019**

Ghansham Metharam Khatwani and
Anr.

...Applicants

Versus

The State of Maharashtra

...Respondent

....

Mr. Wahid Amin Shaikh for the Applicants in IA/762/2022.

Mr. Akhilesh Singh for the Applicant in ABA/1813/2019.

Ms Rutuja Ambekar, APP for Respondent No.1-State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 8th APRIL, 2022.

P.C.:-

1. By this application, the Applicant/Intervenor has sought withdrawal of Rs.20,00,000/- deposited by the Applicant -accused. The records indicate that the Applicant -accused had filed an affidavit wherein he had undertaken to deposit Rs.20,00,000/-. Based on the said statement, interim relief was granted on 20/09/2021.

2. A perusal of the affidavit shows that the amount was deposited by the Applicant-accused without prejudice to his rights and contentions. There was no undertaking to pay the amount to the Intervenor nor there

are any such orders passed by this Court. Hence, the Applicant /Intervenor is not entitled to withdraw any amount deposited by the Applicant-accused. Hence, the Interim Application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)