

GRM

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

**CRIMINAL APPLICATION NO. 321 OF 2021
WITH
CRIMINAL APPLICATION NO. 322 OF 2021
WITH
CRIMINAL APPLICATION NO. 331 OF 2021**

VOLKSWAGEN FINANCE PRIVATE LIMITED ..APPLICANTS
VS.

THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Mr. Prashant Trivedi i/b Mr. Ramesh Tripathi, Adv. for the applicants.

Mr. A. B. Patil, APP for the Respondent-State for APPLN/321/2021.

Ms. A. A. Takalkar, APP for the Respondent-State for APPLN/322/2021.

Mr. S. H. Yadav, APP for the Respondent-State for APPLN/331/2021.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 8, 2022.

P.C. :

1. Heard learned Counsel for the applicants.
2. It is the contention of learned Counsel for the applicants that after anticipatory bail was secured on 26th September, 2017 vide order passed in Anticipatory Bail Application No. 796 of 2017 by the accused Shantilal Jeverchand Jain, he has violated the conditions on which the

said order was made.

3. It is submitted that the accused is not regularly attending the investigating officer and co-operating with the investigation. It is then submitted that the investigation is not proceeding in accordance with law. If it is a grievance that the investigation is not proceeding, it is for the applicants/complainant to adopt such remedies in accordance with law. The present application for cancellation of bail is not tenable. If it is a grievance that the accused is not co-operating with the investigation or not attending the investigating officer, then it is always open for the investigating officer to resort to appropriate remedies.

4. At the behest of applicants, the present application is not tenable.

5. Liberty to seek appropriate remedy is kept open.

6. I have not considered the application on merits.

7. Applications stand disposed of.

(M. S. KARNIK, J.)