

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3382 OF 2022**

IN

ANTICIPATORY BAIL APPLICATION NO. 1921 OF 2022

Jitendra Rai Bahadur Patwa	.. Applicant
Versus	
Swaran Avtar Taneja and anr.	.. Respondent

Mr. S.J. Khera for Intervenor

Adv. Diwakar Dwivedi for the Respondent.

CORAM: BHARATI DANGRE, J.

DATED : 9th NOVEMBER, 2022

P.C:-

1. By the present application the complainant seek withdrawal of the amount deposited by the applicant before this court in furtherance of an undertaking given by him, which came to be recorded in order dated 12/08/2022.
2. The learned counsel for the applicant state that he has no objection in permitting withdrawal of the said amount by the complainant in terms of prayer clause (a) and (b) of the interim application. He however vehemently oppose about grant of prayer clause (c).

3. Heard the learned counsel for the applicant (complainant) and the counsel for respondent.

It can be seen that prayer clause (c) as formulated in the application cannot be granted by this court and therefore it is turned down by reserving the liberty in the complainant to take out appropriate proceedings before the appropriate forum.

4. In the wake of the above the application is made absolute in terms of prayer clause (a) and (b). As far as remaining amount is concerned, which is likely to be deposited on 7/1/2023, the applicant may be permitted to withdraw the said amount, as and when it is deposited.

5. Interim Application No. 3382 of 2022 stands disposed off.

(SMT. BHARATI DANGRE, J.)