

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

CRI. ANTICIPATORY BAIL APPLICATION NO. 2875 OF 2021

Gopal Omprakash Ruia and Anr. ..Applicants
Vs.
The State of Maharashtra ..Respondent

**WITH
CRI. ANTICIPATORY BAIL APPLICATION NO. 3178 OF 2021**

Ramesh Timmayya Shetty & Anr. ..Applicants
Vs.
The State of Maharashtra & Anr. ..Respondents

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Mr. Ashok M. Saraogi, for the Applicant in ABA No.2875/2021.
Mr. S. R. Agarkar, APP for the Respondent / State.
Mr. Amrendra Mishra, for the Intervenor.
Mr. Prosper D'souza, for the Applicant in ABA No.3178/2021.
API A. P. Angal – EOW – Pimpri Chinchwad Police Station.

**CORAM : C.V. BHADANG, J.
DATE : 14 FEBRUARY 2022**

P.C.

. Heard for some time.

2. The Applicants, apprehending arrest in connection with investigation of Crime No. 139/2021 of Police Station Bhosari MIDC, District Pune, under Section 420, 406, 408, 465, 467, 468, 471 r/w. 34 of IPC, are seeking anticipatory bail.

3. The record discloses that by an order dated 18 January 2022 in ABA No.3178/2021, interim protection was granted to the Applicants therein on condition of attendance before the Investigating Officer.

4. Learned APP, on instructions from the Investigating Officer states that the Applicants have accordingly attended and have cooperated with the Investigating Agency. Learned APP submitted that a proposal for conducting forensic audit is pending with the DCP. It is submitted that without obtaining the report of the forensic audit, as at present, the Investigating Officer has no intention to arrest the Applicants. It is submitted that in the event, report of the forensic audit is received and after the Investigating Officer decides to arrest the Applicants, the Investigating Officer shall issue a notice under Section 41-A of Cr.P.C. to the Applicants. The submission so made is accepted. In view of the statement made, the Criminal Application is disposed of. In the event, the Investigating Officer decides to arrest the Applicants, a three clear working days notice shall be issued to the Applicants. If such notice

is received, liberty to the Applicants to renew the request for pre-arrest bail, if so advised. The Interim Applications, if any, are accordingly disposed of.

C.V. BHADANG, J.