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

**INTERIM APPLICATION NO.3930 OF 2022
IN
CRIMINAL APPLICATION NO.808 OF 2014**

Atul Ruia & Ors. ... Applicants
V/s.
Assistant Commissioner of Income-
Tax & Ors. ... Respondents

Mr. J.D. Mistry, Senior Advocate a/w Ms. Rinkey
Jassuja a/w Mr. Rizwan K. i/by Economic Laws Practice
for the applicants.

Mr. R.M. Pethe, APP for the respondent no.3/State.

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CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 28, 2022

P.C.:

1. This Court by order dated 17th July 2015 admitted Criminal Application No.808 of 2014 and granted interim relief after hearing both sides.
2. The learned Magistrate based on the judgment of the Apex Court in **Asian Resurfacing of Road Agency Pvt. Ltd. & Anr. Vs. Central Bureau of Investigation** reported in (2018) 16 SCC 299 passed an order directing the parties to proceed with the complaint.
3. The Apex Court in Miscellaneous Application No.706 of 2022

(Asian Resurfacing of Road Agency P. Ltd. & Anr. v. Central Bureau of Investigation) reported in 2022 SCC OnLine SC 1014 has clarified the position.

4. In view of the fact that the interim relief was granted after hearing both sides, the same is continued during the pendency of Criminal Application No.808 of 2014.

5. The interim application is disposed of accordingly. No costs.

(AMIT BORKAR, J.)