

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

**INTERIM APPLICATION NO.672 OF 2023  
IN  
ANTICIPATORY BAIL APPLICATION NO.2892 OF 2021**

Shaunak D. Kirkire ...Applicant

Versus

The State of Maharashtra ...Respondent

...

Mr. Ninad Muzumdar for the Applicant.

Mr. Karan Singh Rajput for the Intervenor.

Mr. R.M. Pethe, APP for Respondent-State.

Mr. S. Pawar, PSI, Matunga Police Station, present.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.**

**DATED : 17<sup>th</sup> APRIL, 2023.**

**P. C. :-**

1. By order dated 03/12/2021 in Anticipatory Bail Application No.2892 of 2021 this Court had permitted the Applicant to deposit an amount of Rs.2 crores before the Investigating Officer by 04/01/2022. The Applicant did not deposit the amount within the stipulated time and that he submitted a Demand Draft before the Investigating Officer, in the name of the Complainant on 27/06/2022. It appears that the Investigating Officer did not hand over the said Demand Draft to the Complainant before the expiry of its validity period. As a consequence thereof, no money was received by the Complainant.

2. Learned counsel for the Applicant states that the Applicant shall deposit an amount of Rs.2 crores before the Trial Court and for the said purpose he seeks the original Demand Draft.

3. In the light of the said statement, the Investigating Officer is directed to return the Demand Draft as mentioned in paragraphs 4(1) to 4(5) of the application to the Applicant within one week. The Applicant is directed to deposit an amount of Rs.2 crores by cheque or Demand Draft, before the Trial Court within a period of two weeks from the date of receipt of the Demand Drafts from the Investigating Officer. The Trial Court shall invest the said amount in Fixed Deposit in any nationalised bank.

4. Learned counsel for the Intervenor states that he may be permitted to withdraw the said amount. The application in that regard can be filed before the learned Magistrate, which shall be decided on its own merits after hearing the respective parties.

5. Interim application stands disposed of.

**(SMT. ANUJA PRABHUDESSAI, J.)**