

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2969 OF 2023

Adil Saheel Khan	...Applicant
vs.	
The State of Maharashtra	...Respondent

Mr. Feroza Shaikh, for the Applicant
Mr. S.R. Agarkar, APP, for the Respondent/State.
Mr. H.T. Kedari, PSI, RCF police station, Mumbai.

CORAM : N. J. JAMADAR, J.
DATE : MARCH 05, 2024

P.C.:

1. Heard the learned counsel for the parties.
2. This is an application for pre-arrest bail. By an order dated 30th October, 2023 this Court had granted ad-interim relief.
3. On 1st March, 2024 the matter was mentioned before the Court for continuation of ad-interim relief. However, inadvertently an order of withdrawal of the application came to be uploaded in the instant matter instead of Bail Application No. 4 of 2024. Hence, the matter is listed today for speaking to the minutes of the order dated 1st March, 2024 and further directions.
4. The order dated 1st March, 2024 disposing of the application as withdrawn stands recalled.
5. The learned counsel for the applicant submits that the applicant has deposited a sum of Rs. 3,50,000/- on 22nd November, 2023 in terms of the order dated 30th October, 2023.

6. The learned APP on instruction of the investigating officer, who is present in Court, concurs with the statement on behalf of the applicant. The learned APP further submits that the investigation is complete and charge sheet has also been lodged.

7. The situation which thus obtains is that the entire amount of Rs. 8 lakhs, of which the first informant was allegedly defrauded, stands recovered and secured. As the investigation is complete and charge sheet has been lodged, further custodial interrogation of the applicant does not seem warranted. Hence, I am impelled to make the order dated 30th October, 2023 absolute on the terms and conditions incorporated therein.

8. In addition, the applicant shall regularly attend the proceedings before the jurisdictional Court.

9. The amount of Rs. 3,50,000/- deposited by the applicant be transferred to the learned Metropolitan Magistrate, Court No. 52, Kurla exercising jurisdiction over RCF police station and upon such transfer the learned Magistrate shall invest the said amount in an interest bearing deposit and the said amount shall abide the final decision of the trial arising out of C.R. No. 453 of 2023.

10. The application stands disposed.

(N. J. JAMADAR, J.)