

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

CRIMINAL APPLICATION NO. 35 OF 2024

Abhijeet Dhondiba Sawant

..Applicant

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Umesh H. Pawar a/w. Sagar Sonawane for Applicant.

Ms. Mahalakshmi Ganapathy, APP for State/Respondent.

CORAM :- SARANG V. KOTWAL, J.

DATE :- 19 JANUARY 2024

P.C. :-

1. Leave to amend to correct the prayer and the title.

Amendment to be carried out forthwith.

2. This is an application filed by the applicant in connection with C.R.No.263 of 2022, registered at Shahupuri Police Station, Kolhapur, under Sections 406 and 420 of the Indian Penal Code and under Section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999.

3. Learned Additional Sessions Judge, Kolhapur, vide the order dated 22.06.2022 had granted anticipatory bail to the

applicant on certain conditions. Subsequently, the same Court vide the order dated 22.12.2023 cancelled that bail for committing breach of the conditions imposed on him. Therefore, the present application is filed for restoration of the earlier anticipatory bail order and for setting aside the later order cancelling the anticipatory bail.

4. Learned counsel for the applicant submitted that, as of today, the applicant is arrested in a different offence. The anticipatory bail order granted to him was cancelled at the behest of the Respondent No.2 who had preferred an application for cancellation of bail.

5. Considering this situation, it is necessary to hear the Respondent No.2. The applicant is already in custody.

6. Hence, the following order.

ORDER

- i) Issue Notice to the Respondent No.2, returnable on 15.02.2024.
- ii) Stand over to 15/02/2024.

(SARANG V. KOTWAL, J.)