

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

ANTICIPATORY BAIL APPLICATION NO.1460 OF 2024

Rupesh Rajendra Agarwal	 Applicant
versus	
The State of Maharashtra	 Respondent

**WITH
INTERIM APPLICATION NO.2216 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO.1460 OF 2024**

Rajkumar Khairatiram Joshi	 Applicant/ Intervenor
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IN THE MATTER BETWEEN :

Rupesh Rajendra Agarwal	 Applicant
versus	
The State of Maharashtra	 Respondent

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- Mr. A. M. Saraogi, Advocate for Applicant.
- Mr. Shrikant H. Yadav, APP for the State/Respondent.
- Mr. Zaid Anwar Qureshi (appeared through VC), for Intervenor.
- IO- Ms. Sukeshini Jadhav, Kondhwa police station.

**CORAM : SARANG V. KOTWAL, J.
DATE : 19th JUNE, 2024**

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.277/2024, dated 15/03/2024, registered with

Kondhwa Police Station, Pune City, under sections 326, 504 r/w 34 of the Indian Penal Code.

2. Heard Mr. A. M. Saraogi, learned counsel for the Applicant, Mr. Zaid Anwar Qureshi, learned counsel for Intervenor and Mr. Shrikant H. Yadav, learned APP for the State.
3. At the first instance, the Applicant and one Rajendra Agarwal had preferred Anticipatory Bail Application No.1000 of 2024. This Court vide the order dated 17/04/2024 had granted anticipatory bail to the Applicant Rajendra, who was Applicant No.2 in that application. The application on behalf of the present Applicant i.e. Rupesh was dismissed as not pressed.
4. Thereafter, the present Applicant Rupesh approached the Hon'ble Supreme Court vide the Petition for Special Leave to Appeal (Crl.) No.6484/2024, in which the following order was passed on 13/05/2024 :

“O R D E R

1. *After arguing for some time and on our expressing reservation in entertaining the present petition, the learned counsel for the*

petitioner seeks permission to withdraw the present petition, with a view to approach the High Court.

2. Permission as sought for is granted.

3. The Special Leave Petition is dismissed as withdrawn.”

5. After that, there is significant development in the matter as the learned APP on instructions states that section 326 of IPC is dropped and the matter is being investigated for commission of offences punishable u/s 338, 323, 504 r/w 34 of the IPC. Learned APP Mr. Yadav, on instructions of the Investigating Officer Ms. Sukeshini Jadhav, makes a statement that the investigating agency does not want to arrest the present Applicant. The statement is recorded.

6. In this view of this statement, Mr. Saraogi, learned counsel for the Applicant does not press this application. Hence the application is disposed of as not pressed.

7. Since the Anticipatory Bail Application is disposed of, the Interim Application also stands disposed of.

(SARANG V. KOTWAL, J.)