

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

ANTICIPATORY BAIL APPLICATION NO.159 OF 2024

SWAPNIL BALASAHEB POL	...APPLICANT
VERSUS	
THE STATE OF MAHARASHTRA	...RESPONDENT
WITH	
INTERIM APPLICATION NO.857 OF 2024	

SHUBHAM AMIT SANCHETI	...APPLICANT
VERSUS	
STATE OF MAHARASHTRA	...RESPONDENT

Adv. Suraj Gurav i/b. Mr. Aditya Dyaneshwar Gurav, Advocate for the Applicant.

Mr. Ajay S. Patil, APP for the State.

Adv. Angad Singh Gill a/w. Adv. Venkatesh Shewale, Advocate for the Intervener.

CORAM : RAJESH S. PATIL, J.

DATED : 3 FEBRUARY 2025

P.C.:

1. Mr. Suraj Gurav holding for Advocate Aditya Gurav submits that he has filed a fresh affidavit in rejoinder, which has already been served on the other side. When this Court directed Mr. Gurav to argue the matter, he submitted that since the rejoinder was filed by him today, he requires some time.
2. Mr. Gill, the learned Advocate appearing for Respondent No.2 submits that he is not seeking adjournment, though the rejoinder was

served at the last minute. As the adjournment was declined, Mr. Gurav submits that he has engaged a counsel and is, therefore, unable to argue the matter.

3. The learned Advocate for Respondent No.2 submits that the Applicant was an employee working with Respondent No.2-Developer. The Applicant was responsible for collecting the TDS amount and stamp duty amount payable by the customers/flat purchasers. However, instead of remitting the said amount to the relevant authority, the Applicant siphoned it off. The misappropriated amount was approximately Rs.56,00,000/-. It is further submitted that on the earlier occasion, a statement was made that the amount had been paid to the relevant authority, based on ad-interim protection was granted to the Applicant.

4. Mr. Gurav, the learned Advocate for the Applicant seeks a short accommodation, place this matter for hearing on **11 February 2025**.

5. Ad-interim protection granted earlier is hereby vacated.

(RAJESH S. PATIL, J.)