

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.3295 OF 2025

IN

WRIT PETITION NO.4336 OF 2025

Kotak Mahindra Bank Ltd. & Anr.Applicants

IN THE MATTER BETWEEN:

Elisabeth Lou IlerPetitioner

Versus

State of Maharashtra and Ors.Respondents

Mr. Aabad Ponda, Senior Advocate a/w. Mr. Faisal Sayyed and
Mr. Padmesh Joshi i/b. M/s. Manilal Kher Ambalal and Co. for the
Applicants.

Mr. H.V. Moratkar for the Petitioner.

Mr. S.V. Gavand, APP for the Respondent – State.

CORAM : RAVINDRA V. GHUGE

&

GAUTAM A. ANKHAD, JJ.

DATE : 19th SEPTEMBER, 2025

P.C. :-

1. We have heard the learned Senior Advocate for the
Applicants, the learned Advocate for the Petitioner and the learned
APP for the State.

2. The Criminal Writ Petition has been decided and
disposed off. Applicant no.2 has filed this Application contending
that he should have been heard before he was made an accused in

the FIR. The issue before us is that, though the Complainant has vividly narrated the role of Applicant no. 2 in a Complaint before the Police which led to the registration of an FIR, he was not made an accused. After a lengthy hearing, we are granting time to the Applicants to research for case-law on, 'whether Applicant no.2, is required to be heard before he should be made an Accused in the FIR ?

3. List this Interim Application on 1st October, 2025 at 4:30 p.m.

4. The pendency of this Interim Application would not be an excuse for the Police to delay the investigation.

(GAUTAM A. ANKHAD, J.)

(RAVINDRA V. GHUGE, J.)