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

**INTERIM APPLICATION NO. 3295 OF 2025  
IN  
CRIMINAL WRIT PETITION NO. 4336 OF 2025**

Kotak Mahindra Bank Ltd. & Anr. ...Applicants

**IN THE MATTER BETWEEN**

Mrs. Elisabeth Lou Iler ...Petitioner

***Versus***

The State of Maharashtra & Ors. ...Respondents

Mr. Aabad Ponda a/w Mr. Faisal Sayyed, Mr. Padmesh Joshi i/by  
Manilal Kher Ambalal & Co., Advocate for the Applicants.

Mr. Himashu Maratkar a/w Mr. Mayur Mohite, Mr. Utsav C. Mr.  
Deepak Jain, Advocate for the Original Petitioner.

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

**CORAM : RAVINDRA V. GHUGE  
&  
GAUTAM A. ANKHAD, JJ.**

**DATE : 14<sup>th</sup> NOVEMBER, 2025**

**P.C. :-**

1. Pursuant to our earlier orders dated 19<sup>th</sup> September 2025, 1<sup>st</sup> October, 2025 and 15<sup>th</sup> October 2025, the learned Senior Advocate representing the Applicants submits that a Demand Draft of Rs.1,32,00,000/- (One Crore Thirty Two Lakhs) is being handed

over to the Original Petitioner, who is present in the Court hall, in the presence of her Advocate. The learned Advocate representing her, identifies her and acknowledges on instructions that the Demand Draft is received.

2. The learned APP submits, on instructions, that the criminal investigation is completed and the Investigating Agency did not find any material as against Sainath Gharse/Applicant No.2 in the Interim Application before us. The Investigating Officer, Shri. Sachin S. Khondre, Police Inspector, D.N. Nagar Police Station, Mumbai has submitted a communication letter dated 14<sup>th</sup> November, 2025 (5 Pages), addressed to the learned APP, which indicates that a Closure Report would be filed by following the due procedure laid down in law, within a period of 10 days from today. The copy of the original communication letter dated 14<sup>th</sup> November, 2025 is taken on record and marked as 'X' for identification.

3. The learned Advocate representing the Original Petitioner submits, on instructions, that the Petitioner would consent to the closure report as against Sainath Gharse, in the concerned Court, after receiving a notice based on the report under Section 189

of the Bharatiya Nagarik Suraksha Sanhita, 2023. In these circumstances, we would expect the learned Magistrate to pass an order, promptly.

4. Needless to state, the above recorded statements and the payment made to the Original Petitioner by Kotak Mahindra Bank Ltd., would have no bearing on the trial based on the First Information Report No.0811 of 2025 registered with the D.N. Nagar Police Station, Andheri on 8<sup>th</sup> July, 2025, insofar as the other Accused are concerned.

5. The learned Senior Advocate representing the Applicants submits, on instructions, that the Applicants desire to withdraw this Application.

6. In view of the above, this **Interim Application** is **disposed off** as withdrawn, on instructions.

(GAUTAM A. ANKHAD, J.)

(RAVINDRA V. GHUGE, J.)