

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1087 OF 2026**

Sucheta Goenka And Ors. ... Applicants
V/S.
Union Of India And Ors. ... Respondents

Mr. Ankul Seth a/w Nihal Rebello, for the Applicants.
Mr. Rui Rodrigues a/w Jainendra Sheth, for the Respondent –
SFIO.
Mr. V. B. Konde-deshmukh, APP for the Respondent – State.

**CORAM : ASHWIN D. BHOBE, J.
DATE : 28th April, 2026.**

P.C. :

1. Mr. Ankul Seth, learned Advocate for the Applicants, in all fairness states that the Applicant has directly approached this Court under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, when the Applicant was required to initially approach the Sessions Court with the Bail Application.
2. Mr. Ankul Seth therefore seeks leave to withdraw the present Application with liberty to file approach the Sessions Court with the Section 482 Application at the first instance.
3. The request made by Mr. Ankul Seth, is not objected to by

Mr. Rui Rodrigues, learned Advocate for the Respondent No. 2 or by Mr. V. B. Konde Deshmukh, learned APP for the Respondent – State.

4. The Hon'ble Supreme Court in the Case of Jagdeo Prasad v. State Of Bihar¹ while considering the issue of concurrent jurisdiction under Section 438 of the Code of Criminal Procedure, observed that the High Court should always encourage exhausting an alternate / concurrent remedy before directly interfering itself, as this approach balances the interests of all stakeholders, first by giving the aggrieved party a round to challenge before the High Court. Second, this approach provides the High Court an opportunity to assess the judicial perspective so applied by the Sessions Court in the concurrent jurisdiction.

5. In view of the the statement made by Mr. Ankul Seth and the no objection by Mr. Rui Rodrigues, learned Advocate for the Respondent No. 2 and by Mr. V. B. Konde Deshmukh, learned APP for the Respondent – State, leave is granted to withdraw the present Anticipatory Bail Application with liberty to file the same

¹ (2025) SC OnLine SC 2108

before the Sessions Court having jurisdiction.

6. Anticipatory Bail Application No. 1087 of 2026 is disposed off as withdrawn.

(ASHWIN D. BHOBE, J.)

**ARJUN
KRISHNA
RODGE**

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