

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 279 OF 2015
with
CRIMINAL APPLICATION NO. 276 OF 2015

Koshal Sarjuprasad Pandey	...	Applicant
vs.		(Orig. accused)
The State of Maharashtra	...	Respondent

Mr. Ashwin Rane, Advocate, for the applicant.

Mr. Y.M.Nakhwa,, APP, for the State.

Mr. N.B.Jagtap, PSI, Charkop Police Station, Mumbai, present.

CORAM: SMT.SADHANA S.JADHAV,J.

DATE : 27th July, 2015.

P.C.

Heard the learned counsel for the applicant. The applicant is present before the Court.

2. The applicant herein is being prosecuted for the offence punishable under Sections 498A, 406, 506(II) of Indian Penal Code and Section 2 of the Dowry Prohibition Act. The applicant is an accused in Crime No.407 of 2014 registered at Charkop Police Station. The applicant has filed the present application seeking pre-arrest bail.

3. By an order dated 5th May, 2015, this Court (Coram: Revati

Mohite Dere, J.) had appointed Mr. J.H.Bhatia, Former Judge, Bombay High Court, as a Mediator in the present case. The applicant and the complainant had appeared before the Mediator so appointed.

4. Today, the report of the mediation is received. The mediation has succeeded. The report is taken on record and marked “X” for the purpose of identification. The Mediator with the consent of the parties had laid down terms and conditions of the mediation. The Mediator had settled the mediation on the condition that the applicant shall pay Rs.5,50,000/- towards full and final settlement between the parties towards maintenance , permanent alimony and all other claims towards Stridhan, amount of instalment being Rs.4,50,000/-.

5. The learned counsel for the applicant has paid Rs.4,50,000/- by cheque to the complainant. The statement of account is taken on record and marked as “X-1” for the purpose of identification. The cheque numbers are mentioned in the report of the mediation itself. It is also agreed that the parties would file a joint petition for disposal of Application A.B.A. No.279 of 2015. Today, the original complainant is not present in the Court due to her health conditions. In view of this, the application

seeking pre-arrest bail deserves to be allowed. Parties to take steps as advised/as agreed between them before the Mediator.

6. The learned counsel for the applicant, upon instructions from the applicant, submits that the applicant would abide by all the conditions laid down by the Mediator in letter and spirit. In view of this, the application deserves to be disposed of.

7. It is made clear that the application has not been decided on merits of the matter, but pursuant to the mediation proceedings between the two parties which had succeeded.

ORDER

In the event of his arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the um of Rs.15,000/- with one or two sureties in the like amount.

8. The Intervention application is heard, allowed and disposed of.

(SMT.SADHANA S.JADHAV, J.)