

Anand

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

ANTICIPATORY BAIL APPLICATION NO.1299 OF 2014

Devendra Shrihari Pagare .Applicant

V/s.

The State of Maharashtra & anr. .Respondents

Mr.H.P.Ingale, Advocate, for the Applicant
Mrs.P.P.Shinde, APP, for the Respondent No.1 -
State

CORAM : REVATI MOHITE DERE, J.

DATE : 15TH APRIL, 2015

P.C.

. Heard the learned counsel for the applicant, the learned APP for the respondent – State and the original complainant, who is present in person.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R.No.6 of 2014 registered with the Govandi Police Station, Mumbai for the alleged offences punishable under Sections 406 & 420 of the Indian Penal Code.

3. The learned counsel for the applicant states that the complainant has agreed to amicably settle the dispute, as the applicant has undertaken to pay the complainant, a total sum of Rs.55,00,000/- as set out in the Consent Terms, entered into by the parties. The Consent Terms dated 15.04.2015 are taken on record and marked as "X" for identification. Both, the complainant and the applicant are present in person, and have identified their signatures as it appears in the said Consent Terms. The learned counsel for the applicant has identified the applicant, who is present in the Court and the learned APP has verified the identity of the complainant.

4. In view of the settlement between the parties, in the event of arrest, the applicant is directed to be released on bail on his furnishing P.R.Bond in the sum of Rs.50,000/- with one or two solvent sureties in the like

amount. It is made clear, that this present application has not been considered on merits and has been allowed, only in view of the undertaking given by the applicant to this Court, to pay an amount of Rs.55,00,000/- as set out in the Consent Terms. The applicant shall attend the Govandi Police Station, Mumbai on the 1st Saturday of every month, between 10.00 a.m. and 11.00 a.m. till October, 2015 i.e. till realization of the final payment. The applicant shall also furnish his residential address and contact number to the investigating officer, and if, there is any change in the residential address or contact number, the same will be informed by him to the investigating officer. If there is breach of the aforesaid undertaking, the prosecution/the complainant, will be at liberty to apply for cancellation of the applicant's anticipatory bail.

5. The Anticipatory Bail Application is allowed and disposed of in above terms.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)