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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1531 OF 2015

Mr. Nitin Shrirang Gaikwad

..Applicant.

Vs.

The State of Maharashtra

..Respondents

Mr. Niranjan Mundargi i/b Vaibhav G. Bagade for Applicant.

Mr. Yusuf Khan i/b Shivanand for Intervener.

Ms. S.S. Kaushik, APP for the State.

CORAM: A.S. GADKARI, J.

DATE : 17th November 2015.

P.C.

1 The applicant is apprehending arrest in C.R. No.438 of 2014 registered with Worli Police Station under Section 406, 420, 120-B read with Section 34 of the Indian Penal Code. This Court in its order dated 29.10.2015 has recorded that the applicant and the original complainant were exploring the possibility of settlement and therefore matter was adjourned today for further consideration.

2 Today Mr. Yusuf Khan, the learned Counsel for the original Complainant has tendered the consent terms dated 17.11.2015 arrived at between the applicant-Nitin S. Gaikwad and the original complainant-

Abdul Moiz Abdul Aziz Khatri. The same is taken on record and marked “X” for identification. The original complainant-Mr. Abdul Moiz Abdul Aziz Khatri is personally present in the Court.

3 Mr. Mundargi and Mr. Yusuf Khan, the learned Counsel for respective parties submit that in view of the consent terms, the present application may be disposed of.

4 Perused the consent terms. The applicant has undertaken to this Court through the said consent terms that he shall abide by the terms and conditions mentioned in the consent terms. The undertakings given in the consent terms are treated as undertakings given to this Court.

5 The Anticipatory Bail Application No.1531 of 2015 is disposed of in view of the consent terms dated 17.11.2015. Needless to mention that if the applicant fails to adhere to the undertakings given by him in the said consent terms, the complainant is at liberty to revive his grievance.

6 As the parties have settled the matter amicably in the Court, the Investigating Agency shall take note of the same and will not precipitate the matter further any more.

(A.S. GADKARI,J.)

