

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

**ANCITIPATORY BAIL APPLICATION NO.295 OF 2017
WITH
CRIMINAL BAIL APPLICATION NO.258 OF 2017**

Rajesh Arun Chirmade

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Prasanna Bhangale, i/by Shraddha Gholap for the Applicant.

Mr. P.D. Jain for Intervener.

Smt. J.S. Lohokare, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 13th DECEMBER 2017

P.C.:

. By an Order dated 10.07.2017 the applicant was granted interim relief on his submitting affidavit-cum-undertaking to this Court accepting the liability and giving the schedule of repayment of the amount involved in the present crime. The applicant had also handed over a cheque of Rs.45 Lacs drawn on the Thane Janta Sahakari Bank Ltd. bearing No.042240 to the complainant in the Court Room. The said fact is recorded in the Order dated 10.07.2017.

2. The learned Counsel for the first informant submitted that though the applicant made a scene of handing over the said cheque to him in the court room, subsequently on presentation, the said cheque has been dishonoured.

3. It is thus apparent that, the applicant on 10.07.2017 with a view to get interim relief in his favour, submitted the said affidavit-cum-undertaking and also handed over the aforesaid cheque of Rs.45 Lacs to the first informant. As noted earlier, the said cheque has been dishonoured on presentation.

4. In view thereof, the interim relief granted by an Order dated 10.07.2017 is vacated and as a consequence thereof, the present application is also dismissed.

5. In view of disposal of the Anticipatory Bail Application, Criminal Application No.258 of 2017 does not survive and the same is accordingly disposed off.

(A.S.GADKARI, J.)