

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1213 OF 2016
Azhar Ayub Bhaldar vs. The State of Maharashtra & ors.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Mateen Abdul Rahim Shaikh for the Applicant.
Mrs. Jyoti S. Lohokare, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.

DATE : 5st April, 2017

P.C.

1) The applicant was granted interim relief by an order dated 20.7.2016. It is the allegation made by the complainant Shaym Jairam Umap that the applicant accepted an amount of Rs.1,10,000/- from him towards the consideration of a room which was being constructed at Survey No.94, Village Nevali, Haji Malang Road, Kalyan (E). That, the applicant neither repay the said amount nor possession of the said room was given on some or other pretext. The learned counsel for the applicant submitted that as a matter of fact the applicant has returned the amount of Rs.1,10,000/- to the complainant on 19.7.2016 and as of today the grievance of the complainant does not survive.

2) The learned APP on instructions from the Investigating Officer who is personally present in Court has conceded to the said fact. In view thereof, the applicant has

made out a case for his release on pre-arrest bail. Hence, interim relief granted by an order dated 20.7.2016 is hereby confirmed.

3) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)