

nsc.

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

ANTICIPATORY BAIL APPLICATION NO.2023 OF 2016

Rajeev Sitaram Rane @Raju	...Applicant
Versus	
The State of Maharashtra and Anr.	...Respondents

Mr.S.R.Gaud, for the Applicant.

Mr.R.M.Pethe, A.P.P for the Respondent No.1-State.

Mr.Vivek Gore, for the Respondent No.2.

ASI – J.T.Khatal, Matunga Police Station, Mumbai.

CORAM : REVATI MOHITE DERE, J.

DATE : 19th SEPTEMBER, 2017

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 204 of 2016 registered with the Matunga Police Station, Mumbai, for the alleged offences punishable under Sections 420 and 406 of the Indian Penal Code.

3. On 13th January, 2017 the applicant was granted interim protection in view of the statement made by the learned counsel for the applicant that the applicant was willing to return the amount which he had obtained from the complainant for giving a room in MHADA. The complainant had also shown her willingness to accept the same. It appears that pursuant thereto, the applicant has paid the complainant by demand drafts various amounts.

4. Learned Counsel for the applicant has today, handed over two pay orders of Rs.1,00,000/- each. He submitted that the entire amount of Rs.10,85,000/- has been paid by the applicant to the complainant. Learned Counsel for the respondent no.2 (original complainant) accepts of having received an amount of Rs.10,85,000/-. He states on instructions that respondent no.2 has no objection to the quashing of the FIR in a petition, which will be filed by the Applicant. Statement accepted.

5. In view of the aforesaid, custody of the applicant is not required. Accordingly, the application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.10,000/-, with one or two sureties in the like amount.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear, that the observations made herein are *prima facie* and are confined to this application.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)