

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

ANTICIPATORY BAIL APPLICATION NO.137 OF 2018

Madanlal Mohanlal Bohara and anr. ... Applicants

V/s.

The State of Maharashtra ... Respondent

Mr.Sujeet Deshmukh for the Applicants.

Mr.D.P.Dode, Havildar, EOW, Nashik (R) for the Respondent
/State.

CORAM : P.N.DESHMUKH, J.

DATE : APRIL 4, 2018.

P.C.:

1. By this application, applicant involved in Crime No.39 of 2017, registered at Killa Police Station, Malegaon, District Nashik under the offences punishable under Sections 402, 406 r/w Section 34 of the Indian Penal Code had sought anticipatory bail. Both the applicants are protected from their arrest by interim order dated 23rd January 2018, of this court, which is extended from time to time and which is in force till today.

2. On the last date of hearing, learned counsel for the applicants stated that the dispute between applicants and complainant is amicably settled and they had accordingly entered into settlement agreement. Copy of which is taken on

record and marked "X (Colly.)" for identification on the earlier date. Learned Additional Public Prosecutor was thereafter instructed to obtain further instructions and to verify truthfulness of said agreement. Today learned Additional Public Prosecutor has produced case diary. Additional Statement of complainant-Mangilal Bohara reveals that amount of Rs.4,17,256/- involved in this crime is received by him from the applicants in cash and has no complaint against the applicants. The Agreement is dated 25th January 2018. In that view of the matter, application is liable to be allowed. Hence, following order.

ORDER

- i. Application is allowed.
- ii. Interim protection granted to applicants is confirmed.
- iii. Applicants shall attend Investigating Officer, if called, till filing of the charge-sheet.

(P.N.DESHMUKH,J.)

.....