

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

ANTICIPATORY BAIL APPLICATION NO. 1006 OF 2018

Mr. Amrit Chellram Purohit ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr. Aniket U. Nikarm, Advocate i/by Jitendra Bakliwal for the Applicant.

Mr. S.S. Shinde, APP for the State.

Mr. Mahendra Baburao Wagh, API to Kharghar Police Station is present.

CORAM : V. L. ACHLIYA, J.
(Vacation Court)

DATE : MAY 17, 2018

P.C.

1 Mr. Nikam, learned counsel appearing for the Applicant fairly states that the Application, moved by the Applicant before the learned Sessions Court, Raigad, Alibag, seeking anticipatory bail, is pending and it is listed for hearing on 21.05.2018. The present application is filed, as learned Additional Sessions Judge has refused to grant interim relief.

2 On instructions from Applicant, the learned counsel submits that out of 8 persons who booked the flat and deposited the amount, except the applicant and one more person, the applicant has settled the matter and refunded the amount and the applicant is

willing to settle the matter with the complainant and ready to refund his amount. Learned counsel further submit that in order to show bonafides, the applicant is ready to deposit Rs.3.75 lakhs in Sessions Court, Alibag, so as to repay the amount of complainant.

3 Since the application of the applicant, seeking anticipatory bail is pending before the learned Sessions Court, Alibag, this application can be conveniently disposed of, by directing the learned Sessions Judge to decide the application on merit by extending interim protection to the applicant till disposal of application on condition to deposit Rs.3.75 lakhs in Sessions Court, Alibag on or before 21st May, 2018.

4 In the light of the above, the Application is disposed of with direction to the learned Additional Sessions Judge, Raigad Alibag to hear and decide the Anticipatory Bail Application No. 366 of 2018 filed by the applicant on its own merits. Till the disposal of the application, no coercive steps be taken against the applicant. The amount of Rs. 3.75/- lakhs be deposited on or before 21.05.2018. While disposing of the application the trial Court may consider the bonafides of the applicant to repay the amount to complainant.

5 The application is disposed of in the above terms.

(V. L. ACHLIYA, J.)

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