

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

ANTICIPATORY BAIL APPLICATION NO. 1730 OF 2018

Rajesh Jeevraj Thakkar

... Applicant

Vs.

State of Maharashtra

... Respondent

...

Mr. P.R. Yadav for the applicant.

Ms. A.A. Takalkar, APP for the Respondent-State.

Mr. Pravin M. Sonawane, Complainant is present

Mr. Sudhir Kadam, PSI, Police Station Chitalsar is present.

...

CORAM : PRAKASH D. NAIK, J.

DATE : 10th OCTOBER, 2018.

P.C.

1. This is an application for anticipatory bail in connection with C.R. No. 114 of 2018 registered with Chitalsar Police Station for the offence punishable under Sections 420, 506 of Indian Penal Code.

2. On the earlier date of hearing, it was submitted that the matter has been settled between the parties. Applicant had tendered affidavit-cum-proposal for payment of amount to the complainant containing the schedule of payment. The copy of affidavit was also served upon the Investigating Officer and the complainant who was present in the Court.

3. Learned APP on instructions had pointed out that the applicant was not available at the address mentioned in this application. The applicant has also tendered affidavit with proof of residence. The affidavit-cum-proposal was taken on record on 4th October, 2018. Present affidavit with regards to residence is also taken on record. The complainant is present in the Court and he has been identified by the police officer who is present in the Court. The complainant has stated that demand draft of Rs.2,50,000/- towards first installment of payment has been received on 8th October, 2018 and the same has been deposited with his bank for encashment. The complainant has agreed to the settlement terms.

4. In view of the settlement, protection can be granted to the applicant as prayed in this application. However, it would be incumbent upon the applicant to adhere the said terms of settlement as mentioned in the affidavit-cum-proposal. Applicant should strictly make the payment to the complainant in accordance with the schedule of the payment as reflected in the said proposal. In the event of default of any payment as mentioned in the affidavit-cum-proposal, the prosecution is at liberty to move an application for cancellation of bail. In the light

of aforesaid circumstances, this application can be allowed.

ORDER

- i) In the event of arrest of applicant in connection with CR No. 114 of 2018 registered with Chitalsar Police Station, the applicant be released on bail on furnishing P.R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- ii) Applicant shall attend the concerned Police Station once in a month on First Saturday of the month between 10.00 a.m. to 12.00 noon, till further order;
- iii) Applicant shall adhere to the terms stipulated in the affidavit-cum-proposal tendered by the applicant before this Court;
- iv) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)

Sachidanand
Kuttan Nair

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signed by
Sachidanand
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