

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

ANTICIPATORY BAIL APPLICATION NO. 2491 OF 2018

Santosh Namdev Paigude	... Applicant
Vs.	
State of Maharashtra	... Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO. 2494 OF 2018

Santosh Govind Sawant & Ors	... Applicants
Vs.	
State of Maharashtra	... Respondent

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Ms. Megha Bajaria for the applicant in A.B.A No. 2491 of 2018
Mr. Kuldeep Patil for the applicant in A.B.A. No. 2494 of 2018
Mr. A.R. Kapadnis, APP for the Respondent-State.
Mr. Hitesh Daldvi Original Complainant.
Mr. V.B. Kamble, PSI, Azad Maidan Police Station is present.

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**CORAM : PRAKASH D. NAIK, J.
DATE : 18th DECEMBER, 2018.**

P.C.

1. Applicant in both these applications are apprehending arrest in connection with CR No. 177 of 2018 registered with Azad Maidan Police Station for the offence punishable under Section 420, 465, 467, 468, 471 read with 34 of Indian Penal Code.
2. It is alleged that the complainant filed the proceeding before the NCLT, Mumbai bearing No. 1694 of 2017 in which after receipt of the notice, the applicant's company had filed a reply

dated 10th April, 2018. It is alleged that while going through the reply, the complainant came to know that price restructuring note giving relaxation of payment with the stamp of the complainant's company for the total sum of Rs.28,54,155/- signed by one of the Director of the Company and the same was annexed to the said reply. The complainant had denied having issued any price restructuring note. It is alleged that said documents are forged.

3. Learned counsel for the applicant submitted that the parties have arrived at amicable settlement. The affidavit filed by the complainant was tendered during the course of hearing of this application. The complainant is represented by the advocate. Son of the complainant is present in the Court. Learned advocate for the applicant have identified the complainant in the affidavit. In the said affidavit it stated that the dispute between the complainant company and the applicant's company is amicably settled and they do not want to pursue the proceeding as they have entered into settlement agreement dated 14th December, 2018 and that the complainant has no objection for allowing the application for anticipatory bail. The affidavit filed in both the applications are taken on record. It is submitted that dispute is between the complainant company and the applicant company and no other

person is involved in the said dispute. In view of the circumstance, the application is allowed.

ORDER

- i. In the event of arrest in connection with C.R.No. 177 of 2018 registered with Azad Maidan Police Station, the applicant be released on bail on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- ii. Applicants shall adhere to the terms and conditions of the settlement.
- iii. Anticipatory Bail Application No.2491 of 2018 and Anticipatory Bail Application No. 2494 of 2018 stand disposed off.

(PRAKASH D. NAIK, J.)