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

**BAIL APPLICATION NO. 900 OF 2019
WITH
APPP NO. 688 OF 2019**

Kartik Govardhanbhai Hirpara

..Applicant

Vs

The State of Maharashtra

..Respondents

Mr. M.K. Kocharekar I/b A.A. Khan for the Applicant.

Ms J.S. Lohkare, APP for the State.

Mr. R.D. Suryawanshi for the Intervener/first informant.

CORAM : A.S.GADKARI, J.

DATE : 30th April 2019.

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. I-55 of 2019 dated 2.2.2019 registered with Bhiwandi City Police Station, District Thane under Section 420, 406 read with 34 of the Indian Penal Code.

2] Heard the learned Counsel for the applicant, the learned counsel for the first informant and the learned APP. Perused the chargesheet.

3] Mr. Kocharekar, the learned counsel for the applicant tendered across the bar Consent Terms dated 25.4.2019 executed between the applicant and the first informant Shri Anilraj P. Kankaria. The said Consent Terms are duly signed by them and their signatures have been identified by their respective Advocates. The applicant has signed the Consent Terms in the presence of Jail Superintendent of Taloja Central Prison. The same is taken on record and marked "X" for identification.

4] The statements made in the Consent Terms are accepted as undertakings given to this Court. It is made clear that, in case of breach of any terms of the Consent Terms, the first informant is at liberty to file an application for cancellation of bail.

5] In view of the Consent Terms and without going into the merits of the application, the applicant can be released on bail..

Hence the following Order:

i] Applicant be released on bail in CR No.I-55 of 2019 registered with Bhiwandi City Police Station, District Thane, on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

ii] The applicant shall attend all the dates before the Trial Court

unless granted exemption by the concerned Court.

iii] Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

6] Applicant is permitted to furnish cash bail for the period of 8 weeks from today and during the said period, applicant shall comply with the procedure of furnishing sureties as directed herein above in Clause 5(i).

7] Application is allowed in the aforesaid terms.

8] In view of Order passed in Bail Application No.900 of 2019, Criminal Application (APPP) No.688 of 2019 for intervention does not survive and is accordingly disposed off.

(A.S.GADKARI, J.)