

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 886 OF 2019**

1. Pavan Kumar Varma	
2. B. Vijaya Lakshmi	...Applicants
Versus	
State of Maharashtra & Anr.	...Respondents

Mr. Siddhant P. Vakil i/b Ms. Dimple K. Shah for the Applicants

Mr. S. V. Gavand, A.P.P for the Respondent-State

API Mr. Sampat Raut from MIDC Police Station, Andheri (East), Mumbai,
is present

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 1st OCTOBER 2019

P.C.

1 Heard learned counsel for the applicants.

2 By this application, the applicants seek pre-arrest bail in connection with MECR No. 14 of 2016 registered with the MIDC Police Station, Andheri, Mumbai, for the alleged offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.

3 On 4th September 2019, the applicants were granted interim protection in view of the statement made by the applicant No.1 that he was

ready to pay the respondent No. 2, the amount as mentioned in the complaint.

4 Learned counsel for the applicants states that till date, the applicant No.1 has paid the respondent No. 2 a sum of Rs. 26,00,000/-.

5 Learned A.P.P, on instructions of the Officer, does not dispute the same.

6 Learned counsel for the applicants has tendered a letter dated 19th September 2019 addressed by the respondent No. 2-Sun Solar Renewable Energy Pvt. Ltd. (formerly known as Rolta Power Pvt. Ltd.). to the applicant No.1. The said letter is taken on record and marked `X' for identification. In the said letter, it is stated that the parties have settled the dispute and that the respondent No. 2 has received Rs. 26,00,000/- from the applicants, till date. It is further stated that the applicant No.1 will be paying the balance amount of Rs. 24,00,000/- on or before 15th September 2020. The applicant No.1 is present in Court and assures that the said amount of Rs. 24,00,000/- would be paid to Sun Solar Renewable Energy Pvt. Ltd. (formerly known as Rolta Power Pvt. Ltd.). In the said letter, the

respondent No. 2 have given their no objection for granting anticipatory bail to the applicants.

7 In view of the aforesaid, without going into the merits and in view of the settlement between the parties and the undertaking given by the applicants to pay the balance amount of Rs. 24,00,000/- to the respondent No. 2, the application is allowed and the interim relief granted to the applicants vide order dated 4th September 2019 is confirmed on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.20,000/- each, with one or two sureties in the like amount;
- (ii) The applicants shall report to the Investigating Officer of the concerned Police Station as and when called;
- (iii) In the event, payment is not made as assured by the applicants, it will be open for the respondent No. 2 to take out appropriate proceedings for cancellation of the pre-arrest bail granted to the applicants.

8 The application is allowed in the aforesaid terms and is accordingly disposed of.

9 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.