

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 1147 OF 2019

Umesh Bansi Shinde

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr. Rohit P. Sawant, Advocate, for the Applicant

Mr. V. V. Gangurde, APP, for the Respondent – State

Ms Gulestan M. Dubash, Advocate, for the Original Complainant /
Intervenor

CORAM : REVATI MOHITE DERE, J.

DATE : 16.07.2019

P.C.

. Learned counsel for the Applicant states that the parties i. e. the Applicant and the Complainant have amicably resolved their dispute and have entered into Consent Terms.

2. Learned counsel for the Applicant has tendered the Consent Terms entered into by and between the parties. The same are taken on record and marked as “X” for identification. By the said Consent Terms, the Applicant has undertaken to pay Rs. 4,50,000/- to the Complainant by way of full and final settlement. Today, a Demand Draft of Rs. 2,00,000/- is handed over to the Complainant who is present in Court.

The Complainant acknowledges the receipt of the said Demand Draft. As far as Rs. 50,000/- deposited by the Applicant in this Court is concerned, the Applicant has no objection, if the said amount is withdrawn by the Complainant – Neha Keswani. As far as the balance amount of Rs. 2,00,000/- is concerned, it is agreed that the said amount will be paid by the Applicant to the Complainant at the time of quashing of the case. Learned counsel for the Applicant states that the Applicant will file a Petition for quashing within two weeks from today and will take appropriate steps to have the matter listed.

3. Considering that the parties have amicably settled their dispute, custody of the Applicant is not warranted. Accordingly, the interim order dated 04.06.2019 is confirmed and the Applicant is granted pre-arrest bail in C. R. No. 11 of 2019 registered with the M. R. A. Marg Police Station, Mumbai, on the following terms & conditions :-

ORDER

(i) In the event of arrest, the Applicant be enlarged on bail, on executing P. R. Bond in the sum of **Rs. 20,000/-** with one or two local sureties in the like amount;

(ii) The Complainant – Neha Keswani is permitted to withdraw

an amount of Rs. 50,000/- deposited by the Applicant in the Registry of this Court, on furnishing proof of her identity;

(iii) If there is a breach of the Consent Terms, it is open for the Complainant to file an Application for cancellation of the Applicant's bail.

4. The Application is allowed in the aforesaid terms and is accordingly disposed of. It is made clear, that the Application has been granted pre-arrest bail not on merits but in view of the amicable settlement between the parties.

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

(REVATI MOHITE DERE, J.)