

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2647 OF 2019**

Pradeep Maniprasad Tiwari
Versus
The State of Maharashtra

...Applicant

...Respondent

Mr. Shashikant Chaudhari a/w Mr. Manojkumar Singh i/b MKS Legal Associates for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent-State

PSI Mr. Purushottam Desai from Malvani Police Station, is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 18th OCTOBER 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 506 of 2019 registered with the Malvani Police Station, Mumbai, for the alleged offences punishable under Sections 420 of the Indian Penal Code.

3 Learned counsel for the applicant, without going into the merits, states that the applicant, without prejudice to his rights and contentions, is ready to deposit the amount which is the subject matter of

the FIR i.e. Rs. 9,81,000/-. Learned counsel for the applicant has tendered an affidavit-cum-undertaking of the applicant. The same is taken on record and marked 'X' for identification. In the said affidavit, the applicant has undertaken to deposit Rs. 9,81,000/- in the Registry of this Court in tranches i.e. Rs. 2,50,000/- at the time of granting bail and the balance amount from November 2019 to October 2020 as mentioned in clause (ii) of clause (4) of the affidavit-cum-undertaking. The applicant has stated in para 10 that in the event, there is a breach in making payment, his bail can be revoked and he will face necessary consequences. He has also stated in para 8 that he will not leave the jurisdiction of this Court till the deposit is made. Accordingly, without going into the merits, having regard to the affidavit-cum-undertaking filed by the applicant, the application is allowed on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or more local sureties in the like amount;
- (ii) The applicant shall attend the concerned Police Station on the first Saturday of every month from 10:00 a.m. to 11:00 a.m, for 36

months from the date of his release or till the conclusion of the trial, whichever is earlier;

(iii) The applicant shall not leave the jurisdiction of Mumbai/Thane, till the entire payment is deposited as per the undertaking;

(iv) The applicant to deposit Rs. 2,50,000/- in the Registry of this Court, prior to his release on bail and the balance amount from November 2019 to October 2020, as mentioned in clause (ii) of clause (4) of the affidavit-cum-undertaking;

(v) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(vi) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(vii) The applicant to cooperate with the conduct of the trial and attend all the dates before the trial Court, unless exempted;

(viii) The applicant shall file an undertaking with regard to clauses (ii) to (vii) in the trial Court, within two weeks of his release;

(ix) If there are two consecutive defaults either in attending the Police Station or in appearing before the trial Court, or breach of any of the aforesaid conditions or breach of affidavit-cum-undertaking, the prosecution/complainant shall be at liberty to seek cancellation of the applicant's bail.

4 The application is accordingly disposed of. To be listed under the caption 'for direction' on 28th November 2019 for recording compliance of the first deposit of Rs. 60,000/- on or before 25th November 2019.

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

REVATI MOHITE DERE, J.