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

**ANTICIPATORY BAIL APPLICATION NO.2040 OF 2018
WITH
APPP NO. 1427 OF 2018**

Motibhai Lallubhai Desai

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Sudeep Pasbola I/b Rahul Arote for the Applicant.

Ms. Rutuja Ambekar, APP for State.

Ms. Dhanashree M. Lad, for Intervener.

CORAM : A.S.GADKARI, J.

DATE : 19th March 2019.

P.C.:

1] The learned counsel for the applicant and the learned counsel for the Intervener/first informant jointly tendered across the bar, Consent Terms dated 19th March 2019. The said consent terms are duly signed by the respective parties and their signatures have been verified by their respective Advocates. The said consent terms are taken on record and marked "X" for identification.

2] The statements made in the clauses of the consent terms are accepted as undertakings given to this Court. However, it is hereby made

clear that, the period to make payment shall not be extended on any count as the applicant has willfully made the statement on oath. It is further made clear that, breach of any of the clauses of the Consent Terms would attract the provisions of cancellation of bail.

3] In view of the said consent terms dated 19th March 2019, interim relief granted by Order dated 4th October 2018 is hereby confirmed.

However, the condition to attend the Investigating Officer of the concerned Police Station is waived.

4] Application is allowed in the aforesaid terms.

5] In view of Order passed in A.B.A. No.2040 of 2018, the Criminal Application (APPP) No.1427 of 2018 for intervention does not survive and is accordingly disposed off.

(A.S.GADKARI, J.)