

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

ANTICIPATORY BAIL APPLICATION NO.2478 OF 2019

- 1) Vivek S/o. Akhilendra Anand;
- 2) Mayur S/o. Sunil Mhatre;
- 3) Rupesh S/o. Dattatrey Bhaire; and
- 4) Avinash S/o. Tanigundala Reddy
@ Tanigundala Avinash Jayaymi Reddy .. Applicants

Vs.

State of Maharashtra & Anr. .. Respondents

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Ms.Pooja Joshi i/b. Mr.M.M. Saraogi, Advocate for the Applicants.

Mr.S.H. Yadav, APP for the Respondent – State.

Mr.Prajot H. Joggi a/w. Mr.Prashant Rai, Advocate for Respondent No.2.

PSI Mahesh Sable, Panvel Taluka Police Station, Navi Mumbai, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : NOVEMBER 26, 2019.

P.C. :

This is an Application for Anticipatory Bail in connection with C.R.No.162 of 2019, registered with New Panvel Police Station, District-Navi Mumbai, for the offences punishable under Section 406 read with 34 of Indian Penal Code (“IPC”, for short).

2 It is submitted that the dispute has been settled between the parties. The complainant-Respondent No.2 is represented by Advocate, who tendered Affidavit of Respondent No.2. The Memorandum of Understanding is also annexed to this Application.

3 Learned Counsel for both the parties submitted that the parties have resolved the dispute. They have also filed Petition before the Court for quashing the FIR, which is pending in this Court.

4 The Applicants are granted interim protection vide order dated 15th November, 2019. The protection was granted considering the fact that the parties have settled the dispute. The Applicants were also directed to attend the investigating officer as and when called for. Learned Counsel for the Applicants submits that the Applicant have handed over cheques towards the full and final settlement to the learned Counsel for the complainant. Total Settlement amount is Rs.22,00,000/-, out of which Rs.3,00,000/- are paid through RTGS and Rs.2,31,218, adjusted in accounts of the Respondent No.2 in another transaction. Details of the cheques are as under:

Sr.No.	Date	Cheque No.	Amount	Name of bank
1	27.11.2019	004177	Rs.3,00,000/-	HDFC Bank
2	28.11.2019	004176	Rs.5,00,000/-	HDFC Bank
3	29.11.2019	004175	Rs.5,00,000/-	HDFC Bank
4	30.11.2019	004178	Rs.3,68,782/-	HDFC Bank
TOTAL =Rs.16,68,782/-				

5 In view of the aforesaid circumstances, custodial interrogation of the Applicants is not necessary and the Application is required to be allowed.

6 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.2478 of 2019 ,
is allowed;
- (ii) Interim protection granted by this Court vide
order dated 15th November, 2019, passed by
this Court is confirmed;
- (iii) In the even of arrest of the Applicants in
connection with C.R.No.162 of 2019, registered
with New Panvel Police Station, Navi Mumbai,

the Applicants be released on bail on their furnishing P.R.Bond in the sum of Rs.20,000/-, each, with one or more sureties in the like amount;

(iv) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)