

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

ANTICIPATORY BAIL APPLICATION NO. 2412 OF 2018

Nigel Morgan	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Ms. Selva Kumari for the Applicant.
Ms. Maya Pranjal Majumdar for Respondent No.2.
Ms. S.S. Kaushik, A.P.P. for the Respondent – State.

CORAM : P.N. DESHMUKH, J.

DATED : 18th MARCH, 2019.

P.C. :

1 This application is filed for grant of anticipatory bail in crime No.428 of 2018 registered by Kharghar Police Station for the offence punishable under Sections 323, 325, 498 r/w 34 of I.P.C.

2 Learned Counsel for the applicant and Respondent No.2 are present. Mediator's reports are received from office of Chief Co-ordinator, Mediation Centre, along with terms of consent which are duly signed by the applicant and Respondent No.2 and their respective Counsel and the learned mediator. Same are taken on record. Applicant and respondent No.2 agrees to the terms placed on record. Respondent No.2 submits that she is staying with the applicant along with her minor daughter. Thus dispute between the parties is settled and learned Counsel for the applicant

makes a statement that she will take steps for filing application for quashing of F.I.R. out of which present application is arise.

3 Learned Counsel for applicant, respondent No.2 and learned A.P.P. points out that there is no interim protection of this Court to the Applicant till the date as the matter was referred for the mediation. Record reveals that on 10.01.2019 parties were referred for mediation and ad-interim protection if any, was stated to be continued. In fact, on that day there was no interim protection in favour of applicant, however, order dated 22.02.2019 reveals that interim protection if any, was directed to continue. In that view of the matter and in view of no interim directions, in terms of settlement as the issue between the parties is found to be resolved amicably, and since respondent No.2 is residing with the applicant who is also to take steps for quashing of present F.I.R., Application is allowed as per order below :-

ORDER

(i) In the event of arrest of applicant Crime No.428 of 2018 registered with Kharghar Police Station, he shall be released on bail on his executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand only) with one surety in the like amount;

(ii) Application stands disposed of as allowed.

(P.N. DESHMUKH, J.)