

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

**INTERIM APPLICATION NO. 1064 OF 2020
IN
ANTICIPATORY BAIL APPLICATION NO. 2470 OF 2019**

Ravindra Baburao Patil & Ors. Applicants
Versus
Suresh Bhagwan Patel & Ors. Respondents

**WITH
INTERIM APPLICATION NO. 938 OF 2020
IN
ANTICIPATORY BAIL APPLICATION NO. 2470 OF 2019**

Ashok S. Patil & Ors. Applicants
Versus
Suresh Bhagwan Patel & Ors. Respondents

Mr. Ajay Laxman Bhise for Applicants in both I.As.
Ms. Yashasvita Apte i/b. Harshawardhan Salgaonkar for Original
applicant in ABA/2470/2019.
Mr. A. A. Palkar, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 08th JULY, 2021
(Through Video Conferencing)

P.C. :

1. The original applicants in ABA No.2470 of 2019 had
approached this court for anticipatory bail in connection with

C.R.No.333 of 2019 registered at Khadakpada police station, under section 406 and 420 r/w. 34 of the IPC. At the first instance, the applicants were protected by this court (Coram: Sandeep K. Shinde, J.) vide order dated 20/11/2019. This order was passed on the undertaking filed by the original applicants that, they would pay the amount of Rs.47,27,360/- mentioned in the F.I.R. to the complainants listed in the F.I.R. by Demand Draft. Thereafter the matter was adjourned from time to time.

2. Vide order dated 11/02/2021, this court (Coram: Prakash D. Naik, J.) had extended the period for making the payment as per the undertaking by the period of one and half month from 11/02/2021. By the same order the applicants were directed to appear before the investigating officer to provide him details of other aggrieved persons.

3. Vide order dated 01/04/2021 passed by this court (Coram: Prakash D. Naik, J.) it was noted that the balance amount of Rs.13,77,360/- would be paid within two weeks from

01/04/2021. This time was extended by a period of two weeks more from 23/04/2021. Thereafter, there was no compliance of the undertaking given before the court. There was breach of directions issued by this court. Learned counsel for the intervenor pointed out that the applicants have not paid any further amount since April and have not sought extension of time to pay such amount.

4. Learned APP submitted that the applicants have not attended the police station pursuant to the directions given by this court on 11/02/2021 and they have not given the list of aggrieved persons. Learned APP submitted that, during the course of investigation it is transpired that, apart from 20 victims mentioned in the F.I.R. there are 30 other victims and the total amount of fraud is to the tune of Rs.1,30,33,274/-.

5. Thus, it appears that the applicants are neither co-operating with the investigation, nor complying with their own undertaking, nor following the directions issued by this court and

simply prolonging the matter. In this view of the matter, the interim order granted earlier cannot be continued any further.

6. Hence, interim protection granted to the original applicants stands vacated.

7. The applications are disposed of in the aforesaid terms.

(SARANG V. KOTWAL, J.)