

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

ANTICIPATORY BAIL APPLICATION NO. 1036 OF 2019

Gajanan Rangrao Yadav ... Applicant

Versus

The State of Maharashtra & Anr. ... Respondents

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Mr. Sanjeev Sawant i/b. Mr. Govind B. Pawar, Advocate for the Applicant in Anticipatory Bail Application.

Mr. Prakash V. Vare, Advocate for Respondent No.2.

Mr. R. M. Pethe, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 23rd JULY, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No. 45 of 2019 registered with Kherwadi Police Station, Mumbai for offence under Section 420 of Indian Penal Code (for short “IPC”).

2. The applicant was granted interim protection vide order dated 13th June, 2019. The applicant had tendered affidavit-cum-undertaking wherein he has undertaken to deposit the amount in the sum of Rs.25 Lakhs in two installments i.e. Rs. 10 Lakhs on or before 27th June, 2019 and the balance amount of Rs.15 Lakhs within eight weeks. The undertaking is taken on record and the applicant was granted interim protection. He was also directed to

report the Investigating Officer.

3. The applicant has complied the undertaking by depositing the amount. The order dated 13th June, 2019 indicate that, in view of affidavit-cum-undertaking of the applicant and as the applicant has shown his willingness to deposit 50% of the amount i.e. Rs.25 Lakhs in the Court, the interim protection was granted to him.

4. Learned counsel for respondent No.2 Mr. Vare submits that, amount was deposited in 2019. The total amount is Rs.74 Lakhs. Rs. 24 Lakhs were given to the complainant earlier and Rs.25 Lakhs were deposited in pursuant to the order of this Court. The applicant is still required to deposit further amount of Rs.25 Lakhs. The applicant had not made any attempts to make the entire payment to the complainant.

5. Considering the fact that this Court had granted interim protection, in view of the undertaking filed before this Court and since the undertaking has been complied, the interim order deserves to be confirmed.

6. Hence, I pass the following order:

ORDER

- (i) Anticipatory Bail Application No. 1036 of 2019 is allowed;
- (ii) In the event of arrest of the applicant in connection with in C.R. No. 45 of 2019 registered with Kherwadi Police Station, Mumbai, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall attend the investigating officer as and when called for till filing of charge-sheet.
- (iv) Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)