

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

ANTICIPATORY BAIL APPLICATION NO1878 OF 2021

Sunil Tanaji Ghatvisave

.. Applicant

Vs.

The State Of Maharashtra

.. Respondent

...

Mr.Rahul Arote, Advocate for Applicant.

Mr.R.M.Pethe, A.P.P. for the State-Respondent.

...

CORAM : PRAKASH D. NAIK, J.

DATE : 21st SEPTEMBER, 2021

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PC.

1. This is an application for anticipatory bail in connection with C.R. No.333 of 2020 registered with Dadar police Station for the offence under Section 420, 406 read with Section 34 of the Indian Penal Code. The First Information Report ("FIR" for short) was registered on 04.12.2020.

2. The case of the complainant is that from January 2017 till lodging the FIR, the accused had promised that house will be provided to the complainant in low budget and induced her to part with money. The complainant had parted amount of Rs. 5 lakhs. The premises was not made available nor the amount was repaid by the accused.

3. Learned counsel for the applicant, on instructions, submits that the amount of Rs.5 lakhs would be returned to the complainant within a period 8 weeks from today. Statement is accepted as an undertaking to this Court.

4. In view of the aforesaid circumstances, this application can be allowed.

ORDER

- (i) In the event of arrest of the applicant in C.R. No.333 of 2020 registered with Dadar Police Station, the applicant be released on bail on executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (ii) The applicant shall comply with undertaking within a period of 8 weeks and make payment of Rs.5 lakhs to the complainant.
- (iii) In the event of breach of the undertaking given to this Court, prosecution or the complainant shall be at liberty to preferred cancellation of bail application. Compilation is filed in this Court.
- (iv) Application is disposed off.

(PRAKASH D. NAIK, J.)