

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 107 OF 2021

Rajiya Alisahab Kumbharlikar
and Ors.

..Applicants

V/s.

The State of Maharashtra & Anr.

..Respondents

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NITIN
CHAVAN

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Mr. Tukaram Shendge i/b Ramji Kotali for the Applicants.
Mrs.M.R. Tidke , APP for the Respondent/State.
Mr. Owais Peetkar for Respondent No.2.

CORAM : C.V. BHADANG, J.
DATE : 8 MARCH 2022

P.C.

1. The Applicants, apprehending their arrest, in connection with the investigation of Crime No. 222 of 2020 registered with Chiplun Police Station, Dist. Ratnagiri under Section 420, 406 read with Section 34 of IPC, are seeking anticipatory bail.
2. Heard learned counsel for the parties. Perused record.
3. The record discloses that by a detailed order dated 18.01.2021, this Court has granted interim protection to the Applicants on condition of attendance.
4. The learned counsel for the Applicants states that the Applicants have reported to the Investigating Officer and have co-operated in the investigation.

5. The learned counsel for the Respondent No.2 states that the golden ornaments which are subject matter of the FIR have already been recovered. He states that apart from the ornaments an amount of Rs.6 lakhs was paid in cash and the total amount is in excess of Rs.23 lakhs.

6. In any event, the fact remains that the dispute is essential about a monetary transaction and the recovery of the said amount as claimed by the Respondent.

7. Upon hearing the learned counsel for the parties, it appears that there is a financial transaction between the parties, which is the subject matter of the FIR. The learned counsel for the Respondent complainant states that the parties can explore the possibility of the settlement.

8. Considering the over all circumstances and the fact that the interim protection is operating for more than one year now and looking to the nature of the dispute, Criminal application is disposed of in terms of order dated 18.01.2021 which is hereby made absolute. This shall be subject to the condition that the Applicants shall co-operate with the investigating agency and shall not tamper with the prosecution evidence/witness.

(C.V. BHADANG, J.)