

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.657 OF 2020
WITH
INTERIM APPLICATION NO.505 OF 2022**

Shailesh Dattatray Jadhav .. Applicant

Versus

The State of Maharashtra .. Respondent

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Mr.Prashant M. Patil for the Applicant.

Ms.A.A.Takalkar, A.P.P. for the State/Respondent.

Mr.P.S.Gole for the Intervenor.

PSI Shri Pradeep Patil attached to Dr.D.B.Marg Police Station,
present.

Shri Vitthal J. Raut, Intervenor present in the Court.

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CORAM: BHARATI DANGRE, J.

DATED : 02nd MARCH, 2022

P.C:-

1. By order dated 17/03/2020, the applicant was admitted to the interim protection on a statement being made by the learned counsel for the applicant that the applicant is willing to settle the dispute with the complainant by returning Rs.10,00,000/-.

2. The undertaking was not complied with and on 15/02/2022, the Court recorded the statement of the applicant

that on account of lock-down, he was unable to make the necessary payment, but he assured the Court that within two weeks, the payment of Rs.10,00,000/- shall be made to the complainant. Today, the learned counsel for the applicant states that he is armed with demand drafts (two in number) and he has handed over the same to the complainant, who is present in the Court. He has received and acknowledged the same.

As far as deficit of Rs.2,00,000/- is concerned, the learned counsel for the applicant states that the said amount shall be made over to the complainant by a demand draft within a period of two weeks. However, in my considered opinion, since the payment of Rs.10,00,000/- was postponed from 17/03/2020 and the applicant continued to enjoy the protection from arrest granted by this Court, the applicant shall pay additional sum of Rs.1,00,000/- to the complainant within a period of two weeks, which now thus be totaling to Rs.3,00,000/-.

3. In the wake of the above, the interim relief granted in favour of the applicant on 17/03/2020, is made absolute. Liberty is granted to the prosecution and the complainant to seek recall of this order, if the conditions are not complied with.

4. Upon the entire amount being received, it is open for the parties to approach the Court for quashing of the FIR.

5. In view of the disposal of the application, interim application does not survive and stands disposed off.

(SMT. BHARATI DANGRE, J.)