

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1546 OF 2022**

Mehmood Usman Ali .. Applicant

Versus

The State of Maharashtra & Anr. .. Respondents

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Mr.Ali Kaashif Khan i/b Ms.Riya Jain for the Applicant.

Mr.S.V.Gavand, A.P.P. for the State/Respondent.

Mr.C.K.Talekar with Ms.Fatema Tankiwala i/b LJ Law for the Intervenor.

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CORAM: BHARATI DANGRE, J.

DATED : 18th OCTOBER, 2022

P.C:-

1. As directed by order dated 12/10/2022, applicant-Mehmood Usman Ali, working as Producer/Distributor, has filed an affidavit, which is sworn before the Jail Authority, Mumbai Central Prison.

The affidavit is taken on record.

2. In the affidavit, the applicant has made a categorical statement to the following effect :-

“4.In view thereof I am giving the present undertaking to this Hon’ble Court that I hereby release all my rights and/or the right of my company M/S. DON INFOTAINEMNT in respect to the said movie #YAARAM which was agreed to be

sold to my company by the First Informant as per Agreement dated 18.03.2020. In compliance of the assurance given before this Hon'ble Court I have handed over the original Hard Disk and copy of the Script of the said movie to the First Informant before this Hon'ble Court on 18.10.2022 on the date of hearing. I undertake to this Hon'ble Court to handover the Poster, Trailer and all the material related to the said movie to the First Informant within 10 days from the date hereof.

5. I say that I have no claim in respect of the said movie "#YAARAM" and shall not claim any right in future. I also undertake to this Hon'ble Court that pursuant to my release from jail in the present case I shall co-operate with the first informant and execute all the documentation if any, required by the First Informant for effective release of all the rights in the movie # YAARAM in favour of the First Informant".

Learned counsel for the complainant expresses his satisfaction over the said undertaking.

3. During the course of hearing, learned counsel for the applicant has handed over the original hard disk and the copy of the script to the learned counsel for the complainant. The aforesaid handing over is of course, subject to further verification at the instance of the complainant.

4. Since the complainant has expressed his inclination to believe the applicant in the wake of the undertaking given by him to this Court in form of an affidavit sworn on 17/10/2022, I do not think that further incarceration of the applicant is necessary.

Release of the applicant, however, shall be subject to the stipulation that the other undertaking in respect of handing

over Poster, Trailer and all other material shall be strictly adhered to within the given timeline.

Hence, the following order.

: **ORDER** :

- (a) Application is allowed.
- (b) Applicant - Mehmood Usma Ali shall be released on bail in connection with C.R.No.774 of 2021 registered with Amboli Police Station on furnishing P.R. Bond to the extent of Rs.50,000/- with one or more sureties in the like amount.

The applicant shall be released on cash bail for a period of six weeks in lieu of sureties. During the said period, he shall arrange for the sureties.

- (c) The applicant shall attend the trial on regular basis.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.
- (e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(SMT. BHARATI DANGRE, J.)