

rajshree

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1393 OF 2022
ALONGWITH
INTERIM APPLICATION NO.1770 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO.1393 OF 2022**

1. Vandana Yogen Joshi	]		
2. Yogen Natwarlal Joshi	]	..	Applicants
vs.			
State of Maharashtra	]	..	Respondent

Mr.Siddharth Jha a/w Dwivendra Dubey for the Applicants.
Mr.Adithya Iyer for the Intervenor.
Mr.S.H. Yadav, APP for the State.

CORAM : BHARATI DANGRE, J

DATE : 19th OCTOBER, 2022.

P.C.

1] In the wake of suggestion given to Mr. Jha, on the earlier date, Applicant No.2 has placed on record Affidavit. The said Affidavit is taken on record.

The said Affidavit is sworn on 18.10.2022 and following statement is made in the said Affidavit :

“1. I say that without prejudice to my rights and contentions, I shall pay a sum of Rs.13,00,000/- (Rupees thirteen lakhs only) to the defacto complainant's son Chirag

Govind Bajaj who is pursuing the case filed by his late father Govind Bajaj (since deceased). Late Govind Bajaj during his lifetime had lodged FIR No.376/19 with Santacruz police station, Mumbai on 19th September, 2019 u/s 409 r/w section 34 of IPC.

2. I say that the payment of Rs.13,00,000/- (Rupees thirteen lakhs only) shall be in full and final settlement of the entire claim of late Govind Bajaj/his son Chirag Govind Bajaj giving rise to registration of FIR No.376/2019 of Santacruz Police station, Mumbai.”

2] The Affidavit also list dates when the amount would become payable and the schedule of payment, which comes to an end on 20.05.2023.

3] The learned counsel for the complainant is agreeable to the terms and conditions as full and final settlement towards his claim and the Applicant is apprised that he shall make payment of Rs.13,00,000/- within the period mentioned in Column No.6 of the Affidavit.

4] In the wake of the Affidavit, since dispute between the parties is resolved by themselves, I do not think that custodial interrogation of the Applicant is necessary.

Hence, the following order :

ORDER

(a) Application is allowed.

(b) In the event of arrest in connection with C.R.No. 376/2019 registered with Santacruz Police Station, the applicants Vandana Yogen Joshi and Yogen Natwarlal Joshi shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- each with one or two sureties of the like amount.

(c) The applicants shall report to the concerned police station as and when called for.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(e) I/A is also disposed off.

[BHARATI DANGRE, J]