

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1961 OF 2022

Kishor Kantilal Lakhani .. Applicant
Versus
The State of Maharashtra .. Respondent

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Ms.Maaya Updeshe with Ms.Sana Shaikh for the Applicant.
Ms.Anamika Malhotra, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE, J.
DATED : 27th SEPTEMBER, 2022

P.C:-

1. In furtherance of the order dated 08/09/2022, an affidavit is sworn by the applicant before the Superintendent, Kalyan District Prison Class-1, Kalyan on 22/09/2022. In the said affidavit, he makes the categorical statements to the following effect :-

“2. I say that alleged amount showing entries into bank accounts is for Rs.7,95,440/-

3. I say that I am ready to pay the amount of Rs.7,95,440/- (Rupees Seven Lakh Ninety Five Thousand Four hundred Forty only) in 4 installments commencing from October 2022 to till January 2023.

4. I say that the total amount of Rs.7,95,440/- shall be paid by me i.e. i) Rs.2,00,000/- for October 2022, ii) Rs.2,00,000/-

November 2022, iii) Rs.2,00,000/- December 2022 and iv) Amount of Rs.1,79,440/- for the month of January 2023.

5. I say that the said amount of installment shall be paid on or before 25th of every months commencing from October 2022, November 2022, December 2022 and January 2023.”

Further, the applicant makes a categorical statement that he is ready to abide by all terms and conditions, which are mentioned in the affidavit and shall not make any default.

The affidavit is taken on record and marked ‘X’ for identification.

2. Learned A.P.P. submits that since the applicant is accepting his liability and is ready to repay the amount to the complainant, the Court may consider his application, seeking release on bail.

In the wake of the above, following order is passed.

: ORDER :

(a) Application is allowed.

(b) Applicant – Kishor Kantilal Lakhani shall be released on bail in connection with C.R.No.I-183 of 2021 registered with Vishnu Nagar Police Station on furnishing P.R. Bond to the extent of Rs.25,000/- with one or two sureties in the like amount.

(c) The applicant shall mark his attendance before the concerned police station on first Monday of every trimester between 10.00 a.m. to 12 noon till framing of charge and, thereafter, shall abide by the directions issued by the trial Court and shall attend the trial on regular basis.

(d) The applicant shall abide by the statements made in the affidavit and clear the payment of Rs.7,95,440/- on or before January, 2023 and in case of default, the complainant and the prosecution are at liberty to seek cancellation of bail

(e) 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.)