

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2054 OF 2022

Avinash Balkrushna Jambhale .. Applicant

Versus

The State of Maharashtra .. Respondent

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Ms.Babita P. Pandey for the Applicant.

Ms.Anamika Malhotra, A.P.P. for the State/Respondent.

Smt.Mangal P. Mhapankar, complainant, present in Court.

PSI Redekar attached to Malad Police Station, present.

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CORAM: BHARATI DANGRE, J.

DATED : 12th AUGUST, 2022

P.C:-

1. The complainant is present in the Court and she admits that she has received an amount of Rs.90,000/-.

However, according to her, sum of Rs.2,49,450/- is due and payable to her.

2. Learned counsel for the applicant, on instructions, states that the applicant had never denied his liability and in the year 2019 itself, he had addressed a communication to the

complainant, accepting his responsibility and assured that the amount can be repaid within a period of one year with an installment of Rs.30,000/-.

3. Learned counsel for the applicant, on instructions, makes a statement that the balance amount i.e. Rs.2,49,450/- shall be repaid to the complainant by Demand Draft in three equal installments i.e. the entire amount due and payable to the complainant, shall be paid within a period of three months i.e. in September, October and November, 2022.

Accepting the said undertaking and subject to compliance of the same and, since the amount of Rs.90,000/- is already received by the complainant, the applicant deserves protection from arrest. It is, however, made clear that any breach in effecting the payment, will result in cancellation of the protection in favour of the applicant.

: ORDER :

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.273 of 2019 registered with Malad Police Station, applicant-Avinash Balkrushna Jambhale shall be released on bail 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 report to the concerned police station as and when called for.

(d) The applicant shall clear the amount due and payable to the complainant to the tune of Rs.2,49,450/- in three equal installments on or before 30/11/2022.

(e) 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 shall not tamper with evidence.

(SMT. BHARATI DANGRE, J.)