

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2450 OF 2022**

Manoj S. Pandey	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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Mr. Niranjan Mundargi with Ramesh Tripathi and Anand Pandey
i/b Ramesh Tripathi & Associates for the applicant.
Mr. Aniket Nikam for the intervenor.
Ms. A. A. Takalkar, APP for the State.

**CORAM: BHARATI DANGRE, J.
DATED : 30th SEPTEMBER, 2022**

P.C:-

1 The applicant is apprehending his arrest in C.R.No. I-227/2022 registered with APMC police station which invoke Sections 408, 420 IPC.

2 The complaint allege the applicant of cheating for not sharing with him the assured share in the profit.

3 During the pendency of the application, an offer was made by the applicant to settle the dispute.

Accordingly, today, the applicant has filed an affidavit before this Court, wherein the following statement is made :

“2. I say that I have already paid Rs.8,98,000/- (Rupees Eight Lakhs Ninety Eight thousand only to the informant between 13/05/2022 to 26/07/2022. I further say that I will deposit Rs.63 lakh in the court within three months from 1/10/2022 in three instalments and the informant after discussion with his counsel has accepted the said proposal.

3. I say that I will deposit the first instalment of Rs.20,00,000/- on or before 31st October, 2022 and second instalment of Rs.20,00,000/- on or before 30th November, 2022 and Third instalment of Rs.23,00,000/- on or before 31st December, 2022.

Affidavit is taken on record and marked “X” for identification

5 The learned counsel Mr.Nikam representing the complainant is satisfied with the settlement. His only anxiety being that the undertaking shall be strictly adhered to. He also state that on the amount being deposited, he shall be given a liberty to move an application for withdrawal of the said amount which shall be deposited on its own merits.

6 In the wake of the settlement effected between the parties to the aforesaid effect, the custodial interrogation of the applicant is not necessary. Hence, the following order :-

ORDER

- (a) In the event of his arrest, the Applicant – Manoj S. Pandey in connection of C.R.No.I-0227/2022 registered with APMC police station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or more sureties of the like amount.``
- (b) 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.
- (c) The Applicant shall make himself available as and when required by the Investigating Officer.
- (d) The applicant shall abide by the undertaking given in the affidavit dated 29/9/2022.

The Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)