

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1961 OF 2018

Nilesh Rajendra Singh] ... Applicant

Vs.

State of Maharashtra] ... Respondent

...

Mr. Sanjeev Sawant i/b Mr. Samir M. Suryawanshi for the applicant.

Mr. Dilip B. Shinde for respondent No.2.

Mr. S.H. Yadav, A.P.P. for the State.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 04TH MARCH, 2022.

P.C. :-

1. The application is filed by the applicant seeking protection from arrest in C.R. No.879 of 2018 registered against him on the complaint filed by the wife, thereby invoking Sections 498-A, 354B, 323, 500, 504, 506 read with Section 34 of the IPC.

2. On 25/09/2018, the applicant was admitted to interim protection and he was even directed to report to the police station so that the investigation could be completed. On 31/01/2020, the court made a reference to the affidavit filed by the applicant, assuring payment of Rs.5 lakhs to the complainant in instalments. A demand draft of Rs.2 lakhs was handed over to the complainant/respondent No.2 and an assurance was given that the balance amount will be paid within six weeks. This amount could not be paid within the stipulated period and, on 13/03/2020 time was extended.

3. The situation that prevails as on date is, that an amount of Rs.3 lakhs remains to be paid in terms of the order dated 31/01/2020.

4. Learned counsel for the applicant makes a statement on instructions from the applicant, that he shall pay an amount of Rs.3,00,000/- within three weeks from today, Rs.1 lakh each being paid on every week. The said amounts shall be deposited in the account of respondent No.2, the details of which shall be exchanged between learned counsel appearing for respondent No.2 and learned counsel for the applicant, during the course of the day. The undertaking is accepted, and by way of indulgence, the applicant is accommodated.

5. Learned counsel for respondent No.2 is ready to accept the

amount at this belated staged stage and makes no grievance about the same.

6. In the wake of the above, subject to the undertaking being given, the order passed by this court on 25/09/2018 is made absolute. It is however made clear that if there is no compliance of the aforesaid undertaking by the applicant, the prosecution as well as respondent No.2/complainant shall be entitled to move this court for cancellation of bail and upon the said contingency, the applicant shall be directed to be arrested.

7. The requirement of attendance as directed in the order dated 25/09/2018 is relaxed and the applicant shall now attend the police station as and when called by the investigating officer.

8. Upon the amount being deposited, the parties are at liberty to take appropriate steps for putting an end to the discord.

[SMT. BHARATI DANGRE, J.]