

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.31 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO.390 OF 2021

Chandrakant Goma Bagade] ... Applicant

Vs.

The State of Maharashtra & Anr.] ... Respondents

...

Mr. Jaymala Ostwal with Mr. Komal M. Gosavi i/b M/s. J.J. Associates for the applicant.

Ms. A.A. Takalkar, A.P.P. for the State.

Mr. Arun Padhav, API attached with CBD-Belapur Police Station is present in the court.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 15TH JUNE, 2022.

P.C.:-

1. The applicant was admitted to ad-interim protection on 07/05/2021 and the same came to be confirmed on 06/12/2021.

2. Since the applicants have admitted that they have received

Rs.50,30,000/- in the year 2011 as against MoU dated 26/05/2011 entered into with the complainant. The statement made on behalf of the applicants that they are ready and willing to deposit a sum of Rs.51 lakhs before the Court of Civil Judge, Senior Division, Panvel in Civil Suit No.492 of 2019 came to be extended as an undertaking to this court. Subject to the above, the ad-interim protection was made absolute.

3. The order, however, does not specify any time limit within which the amount, as directed was to be deposited and admittedly till date, i.e. after expiry of six months, there is no compliance. Learned counsel for the applicants state that she has been instructed by the applicant to make a statement that within a period of one week, a sum of Rs.10 lakhs shall be deposited before the Civil Judge, Senior Division, Panvel in Special Civil Suit No.492 of 2019 and further, an amount of Rs.41 lakhs shall be cleared within a period of eight weeks thereafter. The above statement made by learned counsel is taken as an undertaking to this court and it is made clear that the ad-interim protection granted in favour of all the applicants shall stand vacated, if there is no compliance.

4. Interim Application No.31 of 2022 is allowed in the aforesaid terms.

[SMT. BHARATI DANGRE, J.]