

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2226 OF 2018

Ashok Shyamlal Pandey ...Applicant
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. Vinayak Patil i/b Mr. Sagar Rane for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent No.1–State

Mr. Pritesh K. Bohade for the Respondent No. 2

CORAM : REVATI MOHITE DERE, J.
(THROUGH VIDEO-CONFERENCING)
THURSDAY, 6th JANUARY 2022

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks pre-arrest bail in connection with M.E.C.R No. 347/2018 registered with the Borivali Police Station, Mumbai, for the alleged offences punishable under Sections 406 and 504 of the Indian Penal Code ('IPC').

3 During the pendency of the aforesaid application, counsel for the applicant and respondent No.2, on instructions from their respective clients, stated that they were willing to go in for mediation. Accordingly, Mr. Rajiv Patil was appointed as Mediator. It appears that mediation failed, however, subsequently parties amicably resolved the dispute between them and accordingly entered into Consent Terms. A xerox copy of the Consent Terms entered into between the applicant and the respondent No.2 i.e. the original complainant is placed on record. The same is marked 'X' for identification.

4 It appears that pursuant to the Consent Terms entered into between the parties, the applicant gave 3 cheques of Rs. 1,00,000/- each, to the respondent No. 2 dated 15th October 2021, 30th October 2021 and 15th November 2021. All the said cheques have been encashed. Ms. Shinde, learned A.P.P states that the police have recorded the statement of the complainant with respect to having received the said amounts and that he has no grievance as against the applicant.

5 Considering the nature of dispute and the fact that the monies have been returned to the respondent No.2, pursuant to an amicable settlement between them, the interim bail granted to the applicant vide

order dated 25th October 2018 stands confirmed on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.

6 The application is allowed in the aforesaid terms and is accordingly disposed of.

7 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.