

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.2217 OF 2022

SANTOSH S/O SHANTLING SWAMI @ MATHPATI
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Bolkar Yogesh B.
APP for Respondents : Mr. S.P. Deshmukh

...
CORAM : S.G. MEHARE, J.

DATED : JANUARY 19, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant has been arraigned as an accused for the offence punishable under Section 406 and 408 of the Indian Penal Code. It has been alleged against the applicant that he has misappropriated Rs.19,44,703/-. He is languishing in jail since 01.12.2022. A compromise deed has been placed on record wherein the complainant and the applicant have settled their dispute. Time was granted to the learned APP to verify whether the complainant did compromise with the applicant. However, the investigation officer reported that it is not transpired in the investigation that the applicant had compromised.
3. Learned counsel for the applicant states that the compromise deed was placed before the investigation officer.

Believing the learned counsel for the applicant and the settlement deed placed on record, it appears that the parties have settled their dispute amicably. That apart, nothing remained to be investigated from the applicant. In view of that matter, the application deserve to be allowed. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Santosh S/o Shantling Swami @ Mathpati, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.302 of 2022, registered at Udgir Police Station, Taluka Udgir, District Latur for the offence punishable under Section 406 and 408 of the Indian Penal Code, on the conditions that;
 - (a) The applicant shall attend the concerned police station as and when called on written notice by the investigation officer, till filing of the charge sheet.
 - (b) The applicant shall not leave the place of his residence without the leave of the investigation officer, till filing of the charge sheet and thereafter the trial Court.

(S.G. MEHARE, J.)