

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 164 OF 2023

Kailash H. Kumhar	...Applicant
V/s.	
State of Maharashtra	...Respondent.

WITH
INTERIM APPLICATION NO. 260 OF 2023

Mr. Sanjeev P. Kadam a/w. Mr. S.S. Kadam, Mr. Pratik Deshmukh,
Mr. Prashant Raul i/b. Ms Saba Shaikh for the Applicant.
Mr. P.H. Gaikwad, APP for the Respondent/State
Mr. Ganesh Gole for the Intervenor.

CORAM : N.R. BORKAR, J.
DATE : 22.02.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 348 of 2022 registered at Shahapur Police Station, Dist. Kolhapur for the offences punishable under Sections 420, 406, 409, 506 read with 34 of the Indian Penal Code.

3. The learned counsel for the applicant and the complainant/intervenor submit that the parties have amicably settled their dispute and the applicant has issued the post dated cheques towards repayment of amount in question. The consent terms to that effect executed by the parties are taken on record and marked as “X” for the purposes of identification.

4. Considering the overall facts and circumstances, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Application is allowed.

B) In the event of arrest of the applicant in C.R. No. 348 of 2022 registered at Shahapur Police Station, Dist. Kolhapur for the offences punishable under Sections 420, 406, 409, 506 read with 34 of the Indian Penal Code, he shall be released on bail on executing P.R. Bond in the sum of Rs.15,000/- with one surety in the like amount.

C) Needless to mention that the applicant shall comply with the consent terms or else the intervenor is at liberty to file an application for cancellation of bail.

5. The Interim Application for intervention stands disposed of.

[N.R.BORKAR, J.]