

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

**ANTICIPATORY BAIL APPLICATION NO.582 OF 2023**

|                            |                |
|----------------------------|----------------|
| 1.Pushpa Punitkumar Shukla | ...            |
| 2.Sachinkumar Punit Shukla | ... Applicants |
| vs.                        |                |
| The State of Maharashtra   | ...Respondent  |

Mr. Arun K. Rajput and Vishnuwani for the Applicants.  
Mr. S. R. Agarkar APP for the Respondent - State.  
Ms. Kusum Pandey for the intervenor.  
Mr. Kundgir, PSI, Tuling police station present.

**CORAM : S. M. MODAK, J.**

**DATED : 31ST JULY 2023**

**P.C. :**

1. Heard learned Advocate for the Applicant, learned Advocate for the intervenor and learned APP for the Respondent-State. The Investigating Officer is present.
2. As per order dated 24th February 2023, the Applicants were granted interim protection. As per order dated 5th June 2023, the Applicants were directed to deposit the amount of Rs.2,25,000/-. On 3rd July 2023, the Applicants sought time to

deposit amount in installments.

3. Today, the Applicants have brought demand draft to the tune of Rs.2,25,000/- drawn in the name of Registrar of this Court. The photocopy of this demand draft is taken on record and marked as Annexure "X". The learned Advocate for the first informant submitted that let the Applicants to pay more amount.

4. The FIR is registered with Tulinj police station under Sections 406, 420 read with 34 of IPC. Applicant No.1-Pushpa Shukla sold room to the first informant on 18th December 2017. The first informant Salauddin Malik was also put in possession. There were certain incomplete works and there was also leakage in the said room. The Applicants gave assurance that they will do needful and believing on these assurances, the first informant handed over back possession of the flat to the Applicants for that repairs.

5. Instead of returning back the possession of flat, after carrying out repairs, Applicant No.1 sold away the flat to another person. On this background, the Applicants prepared a settlement agreement and Applicants-accused issued certain cheques, the

first cheque was bounced and the FIR is filed.

6. The custodial interrogation of the Applicants is not required. In order to show *bonafides* the Applicants have also deposited demand draft. So, the interim protection granted to the Applicants can be confirmed. So far as other disputes are concerned, law will take its own course. All parties are at liberty to arrive at settlement.

7. In view of above, the interim order granted by this Court dated 24th February 2023, is confirmed.

8. Let the Applicants to deposit demand draft in the office today itself. The first informant are at liberty to ask for withdrawal after serving a copy to the learned Advocate for the Applicants.

9. Application is disposed of accordingly.

**[S. M. MODAK, J.]**