

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1395 OF 2023

Jitendra Shankarlal Brahmbhatt ...Applicant
vs.
The State of Maharashtra and Anr. ...Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.1396 OF 2023
WITH
INTERIM APPLICATION NO.1853 OF 2023

Viranchi Jitendra Brahmbhatt ...Applicant
vs.
The State of Maharashtra and Anr. ...Respondents

Mr. Arshad Shaikh, Senior Advocate a/w. Ms. Vinsha Acharya i/b.
Ms. Namrata Agashe, for the Applicants.
Mrs. A.A. Takalkar, APP, for the Respondent/State.
Mr. Birrul Mohamedi i/b. Bellator Legal Services LLP for the
Intervener.
Mr. B.E. Satam, PSI, Goregaon police station.

CORAM : N. J. JAMADAR, J.
DATE : SEPTEMBER 26, 2023

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. This application is preferred seeking pre-arrest bail in connection with C.R. No. 209 of 2023 registered at Goregaon police station for the offences punishable under sections 120-B, 406 and 420 of Indian penal Code, 1860.
3. When the applications were listed before this Court on 26th

May, 2023, this Court was persuaded to grant interim bail after recording statement on behalf of the applicants that the applicants would deposit the amount as incorporated in the said order.

4. The Court is informed that the first informant had initiated proceeding under RERA and had also instituted Civil Suit seeking specific performance of the contract contained in the allotment letter. The Court is informed that the applicants have complied with the undertaking which has been recorded in order dated 26th May, 2023 and have made the deposits. The applicants have also cooperated with the investigation and appeared before the investigating officer as directed.

5. In view of the aforesaid developments and the fact that specific amount has been deposited in this Court, the order of interim bail deserves to be made absolute.

Hence, the following order.

ORDER

1] The order of interim bail dated 26th May, 2023 is made absolute on the terms and conditions incorporated therein with the modification that the applicants shall report to the investigating officer at Goregaon police station on the first Monday of every month from 10 am to 1 pm for a period of

three months or till filing of the charge-sheet whichever is earlier.

2] The applicants shall regularly attend the proceeding before the jurisdictional Court.

3] Application stands disposed.

4] In view of above, Interim Application also stands disposed.

(N. J. JAMADAR, J.)