

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

**INTERIM APPLICATION NO.2113 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO.1338 OF 2019**

Ms Ananya Chandan Singh ...Applicant

Versus

The State of Maharashtra and Anr. ...Respondents

...

Mr. Advait Bhonde i/b. Mr. Ameya A. Dange for the Applicant.

Mr. Pratik Wakade i/b. Mr. Akshay Deshmukh for Respondent No.2.

Mr. R.M. Pethe, APP for Respondent No.1-State.

Mr. P.S. Mote, AI, Bangur Nagar Police Station, present.

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CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 11th JULY, 2023.

P. C. :-

1. By this application, the Applicant seeks following reliefs:-

“(a) The Hon’ble Court may be pleased to permit the Respondent No.2 company-M/s. Karix Mobile Private Limited to withdraw the amount of Rs.30,12,021/- deposited by the Applicant with the registry of this Hon’ble Court.

(b) The Hon’ble Court may be pleased to direct the Bangur Nagar Police Station to handover the Passport deposited by the Applicant with the

Investigating Officer as a condition of her pre-arrest bail.

- (c) The Hon'ble Court may be further pleased to direct the Investigating Officer to handover to the Applicant the mobile Apple iPhone 6S having IMEI No.359211077567501 and SIM card of Airtel Company with cellular number 8971579017 seized during the course of the investigation.”

2. Pursuant to the FIR lodged by Respondent No.2, Crime No.235 of 2019 was registered against the Applicant with Bangur Nagar Police Station, Mumbai, which was subsequently re-numbered as 163 of 2019 with the same police station. In the course of the investigation, mobile phone-Apple iPhone 6S having IMEI No.359211077567501 and SIM card of Airtel Company with cellular No. 8971579017 of the Applicant were seized. The Applicant had filed an application for pre-arrest bail being Anticipatory Bail Application No.1338 of 2019, which was allowed by order dated 01/08/2019.

3. Learned counsel for the Applicant states that pursuant to orders dated 11/07/2019 and 01/08/2019 the Applicant has deposited before the registry of this Court an amount of Rs.30,12,021/-. Learned

counsel for the Applicant further states that as per the order of the Court, the Applicant has handed over her passport before the Investigating Officer.

4. Learned counsel for the Applicant and Respondent No.2-First Informant state that subsequently the parties entered into settlement and accordingly filed an application under Section 482 of the Cr.P.C. to quash the said crime.

5. A perusal of order dated 20/04/2023 passed in Criminal Application No.317 of 2023 reveals that Crime No. 163 of 2019 has been quashed. Learned counsel for the Applicant states that as per the consent terms, Respondent No.2 is entitled to withdraw the amount of Rs.30,12,021/-deposited by the Applicant with the registry of this Court.

6. In the light of the said statement, the registry is directed to refund the amount of Rs.30,12,2021/- to Respondent No.2 alongwith interest, if any, accrued thereon. Since the FIR is quashed, the Investigating Officer is directed to handover the passport and mobile phone to the Applicant.

7. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)