

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

ANTICIPATORY BAIL APPLICATION NO. 821 OF 2022

Kaushal Prakash Panchal ..Applicant

vs.

State of Maharashtra ...Respondent

**ALONG WITH
ANTICIPATORY BAIL APPLICATION NO. 1821 OF 2022**

Prakash Malasia and Ors. ..Applicants

vs.

State of Maharashtra ...Respondent

Mr.J.S.Kini a/w Mr.Aum Kini i/b. Ms.Sapna Krishnappa in ABA No.1821 of 2022 – Advocates for Applicant and i/b. Mr.Deepak Thakre and in ABA No.821 of 2022.
Mr.Gavali – PI – Achole Police Station.

CORAM : S. M. MODAK, J.

DATED : 12TH JUNE 2023

P. C. :

ANTICIPATORY BAIL APPLICATION NO. 1821 OF 2022

1. Heard learned Advocate for the Applicants and learned APP.

The Officer is present.

2. Already this Court granted an interim protection on 7th April, 2022. During pendency of this proceeding, the Applicant has settled

the dispute with the First-Informant and four other flat purchasers. As the earlier construction could not be completed, now all of them mutually agreed that the Applicant will sell them another premises and in fact, they will be put into possession. One of such agreements executed with Mr.Joy John Lopes and Ms.Martha John Lopes is produced for Court's perusal. Possession are also given. It is executed on 2nd February, 2023. Learned APP after taking instructions from the Investigating Officer submitted that such agreements are also executed with one Aditya Jadhav, Guruprasad Kukwaan, Ismaili Makana and Nuriya Gonsalves. It is also submitted that quashing Petition is also pending. As such, the Investigating Agency is not insisting for custodial interrogation.

3. In view of that, the order dated 7th April, 2022 thereby granting an interim protection is confirmed.

4. Application is disposed of.

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5. Heard learned Advocate for the Applicant and learned APP

6. Already there is an interim protection granted on 7th April, 2022. Present Applicant is an agent for selling of the flats. He contends that Accused who are Applicant Nos. 1 to 3 in ABA

No.1821 of 2022 have already settled the dispute with the First-Informant and other purchasers and also entered into fresh agreements for sale thereby agreeing to sell different premises. They have already been put into possession. This fact is not disputed on behalf of the Prosecution.

7. Hence, an interim protection granted as per order dated 7th April, 2022 is also confirmed.

8. Application is disposed of.

[S. M. MODAK, J.]