

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO. 756 OF 2023**

Sushmita Santosh Arland and anr .. Applicants  
Versus  
The State of Maharashtra .. Respondent

**WITH  
INTERIM APPLICATION NO.3202 OF 2023  
IN  
CRIMINAL APPLICATION NO. 756 OF 2023**

Amol Shivram Jagade .. Applicant/  
Intervener

IN THE MATTER BETWEEN

Sushmita Santosh Arland and anr .. Applicants  
Versus  
The State of Maharashtra .. Respondent

Mr. Swapnil Ambure a/w Mr. S Mhatre i/b Mr. Ahmad Mulani for the applicants in APL No.756/2023.

Mr. Rushikesh Chavan a/w Mr. Yogesh Birajdar for applicant in IA 3202/2023 Intervenor.

Mr.S.R. Agarkar, APP for the State.

Ms. Varsha Ghogare, P.S.I. Bharati Vidhyapeeth Police Station, Pune.

**CORAM: BHARATI DANGRE, J.  
DATED : 4<sup>th</sup> SEPTMBER, 2023**

**P.C:-**

1 Heard the learned counsel for the applicants and the learned APP. I have also heard the counsel for victim, in the subject C.R, which has invoked Section 3 of the MPID Act along with Section 420, r/w Section 34 of IPC.

2 The Additional Sessions Judge, Pune by order dated 6/05/2023 allowed the pre-arrest bail application of the applicants and recorded that the applicants shall deposit a sum of Rs.75.45 lacs

in the Court within 8 days in terms of the undertaking given by them at Exhibit-8.

The counsel for the applicants vehemently submit that the undertaking stipulated that the amount shall be paid within a period of 3 months. However, the Additional Sessions Judge, Pune has directed that the amount to be deposited within period of 8 days. Nonetheless, whether the undertaking stipulated 3 months, the fact remains, that till date, not a single farthing has been deposited by the applicants. This resulted in the victim/the complainant seeking cancellation of the bail before the concerned Court and even the applicants rushed before the Court seeking modification and this application is rejected, on 13/06/2023.

Hence the present application.

3           The applicants seek indulgence on the basis of the statement that they are ready to deposit a sum of Rs. 10,00,000/- forthwith and thereafter, if some time is granted, the balance amount can be deposited and the order can be complied. I do not think that it falls within my power to grant such relaxation as the applicants, who were directed not to be arrested in the subject C.R. subject to certain stipulations and hence the liberty must be enjoyed on compliance of the said stipulations. Hence the Application is rejected.

**( SMT. BHARATI DANGRE, J.)**