

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

ANTICIPATORY BAIL APPLICATION NO. 1993 OF 2022

Mohammed Zahid Abdul Samad
Mukhi and Anr. ..Applicants
VS.
The State of Maharashtra ..Respondent

**WITH
INTERIM APPLICATION NO. 2810 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 1993 OF 2022**

Sandeep Sumatilal Shah ..Applicant
VS.
The State of Maharashtra and Anr. ..Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO. 2003 OF 2022**

Umesh Pravinchandra Bhatt and Ors. ..Applicants
VS.
The State of Maharashtra and Anr. ..Respondents

**WITH
INTERIM APPLICATION NO. 2811 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 2003 OF 2022**

Sandeep Sumatilal Shah ..Applicant
VS.
The State of Maharashtra and Anr. ..Respondents

Adv. Kajal Singh for the Applicant in ABA No. 1993 of 2022.

Adv. Vikram Chavan a/w Adv. Shraddha Kadam i/b M/s. C.K.
Legal for the Applicant in ABA No. 2003 of 2022.

Adv. Subodh Desai a/w Adv. Anuj Jhaveri a/w Adv. Mihir Modi

i/b Adv. Vatsal Thakkar for the Respondent no. 3.
Mr. Sandip Saumtilal Shah, the Complainant.

Adv. Anand Mishra i/b A.M. Saraogi for the Complainant.

Ms. A. A. Takalkar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 9, 2023

P.C. :

- 1.** Heard learned counsel for the parties and learned APP for the State.
- 2.** These are applications for pre-arrest bail by the applicants in connection with C.R. No.0559 of 2022 dated 30/05/2022, registered with Vileparle Police Station, under sections 120-B, 406, 420 read with 34 of the Indian Penal Code, 1860.
- 3.** Parties have arrived at the settlement and tendered consent terms which are taken on record and marked at exhibit 'X' for identification. They are duly signed by the respective parties. The statements made in the consent terms are treated as an undertaking to this Court. In view of the consent terms, the complainant has no objection if the present applications are allowed. Respondent no. 3 is a partner in the accused partnership firm. The order passed in

the present applications shall equally be applicable to the respondent no. 3 as he has now been arraigned as accused. The complainant is personally present in the court today and is identified by his advocate. The complainant agreed that he had signed the consent terms and that the terms are as per his instructions.

4. In this view of the matter, the present applications can be allowed. Applicants and the respondent no. 3 can be granted pre-arrest bail. Hence the following order.

ORDER

(a) In the even of arrest, the applicants and respondent no. 3 in connection with C.R. No.559 of 2022, registered with Vileparle Police Station, shall be released on bail, on his furnishing P.R. Bond of Rs.25,000/- each with one or more sureties in the like amount;

(b) The applicants and respondent no. 3 to abide by the consent terms;

(c) If the consent terms are breached it will be open for the complainant to make an application for the cancellation of pre-arrest bail granted to the applicants and respondent no. 3;

(d) The applicants and respondent no. 3 shall not directly or indirectly make any inducement,

threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The parties shall not tamper with the evidence;

5. The applications stand disposed of.

(M. S. KARNIK, J.)