

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

ANTICIPATORY BAIL APPLICATION NO. 2762 OF 2022

Rohit Vinod Sawant ...Applicant
vs.
The State of Maharashtra and Anr. ...Respondents

Mr. Saurabh Butala i/by Mr. Harshad A. Sathe - Advocate for the Applicant
Mr. Y. Y. Dabke - APP for the Respondent-State.
Ms. Priyanka Kiran Jangam – Police Naik Shahapuri Police Station Present.
Mr. Amol Chandrakant Garad – Respondent No. 2 – present in person. (Complainant)
Mr. Rohit Vinod Sawant- Applicant present

CORAM : S. M. MODAK, J.

DATE : 01st MARCH, 2023

P. C. :-

1. Heard learned Advocate for the Applicant and learned APP. Applicant and Complainant both are present.

2. Earlier the matter was adjourned in order to ascertain the possibility of the settlement in between the first informant and the Applicant. Today, consent terms are filed on record duly signed by the first informant and the Applicant. The Applicant has agreed to comply with certain things including the payment and transfer of the

vehicle and on that complainant has agreed to withdraw the prosecution under Section 138 and also agreed for withdrawal of the F.I.R. by consent. The said consent terms are taken on record and marked as 'Annexure-X'. It is accepted as an undertaking on behalf of the both the parties. It is annexed by photocopy of the Adhar Card of both the parties.

3. The F.I.R. is filed for the offence punishable under Section 379 of the Indian Penal Code against the present Applicant. The car was purchased by the First Informant from the Applicant. There was some dispute on account of that transaction. That is why the Applicant took away the car with the help of his key from the custody of the first informant and that is why the offence of the theft was lodged. During investigation, car is seized and now it is handed over to the first informant. He admits that he is in possession of the car.

4. In view of that custodial interrogation is not required. So also parties have settled the matter. In view of that following order is passed:-

ORDER

- (i) Interim protection is granted on 14/10/2022 is confirmed.
 - (ii) In case of arrest in connection with C.R. No. 189 of 2022, registered with Shahupuri Police Station for the offence punishable under Section 379 of the Indian Penal Code, the Applicant be released on bail on furnishing the Personal Bond and Surety Bond in the sum of Rs. 15,000/-.
5. Anticipatory bail application is disposed of.

[S. M. MODAK, J.]