

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

ANTICIPATORY BAIL APPLICATION NO. 2796 OF 2023

WITH

INTERIM APPLICATION NO.4043 OF 2023

Mansingh Khumsingh Parmar ...Applicant

Vs.

The State of Maharashtra and Others ...Respondents

Mr. Manish N. Jain with Ms. Ritu G. Gehlot i/b S. M. Jain
and Associate, for Applicant.

Mr. B. J. Shaikh, for Intervenor.

Smt. A. A. Takalkar, APP for State.

Mr. H. T. Kedari, PSI, RCF Police Station.

CORAM:- N. J. JAMADAR, J.

DATED:- 5th DECEMBER, 2023

PC:-

- 1) Heard the learned Counsel for the parties.
- 2) The learned Counsel for the applicant and the learned Counsel for the first informant submit that the applicant and the first informant have amicably resolved the dispute.
- 3) The learned Counsel seek leave to tender the consent terms.

Leave granted.

4) The parties to the consent terms are present before the Court. They admit the contents of the consent terms and execution thereof.

5) The consent terms are thus taken on record and marked "X" for identification.

6) Having regard to the nature of the accusation, which has its genesis in a civil dispute between the parties and the consent terms (X) whereby the applicant and the first informant seem to have arrived at a comprehensive settlement of the dispute, I am inclined to allow the application.

7) Thus, the following order.

:ORDER:

I) In the event of arrest of the applicant in connection with C.R. No. 496 of 2023, registered with R.C.F. police station, Mumbai, for the offences punishable under Sections 406 and 420 of Indian Penal Code, 1860, the applicant be released on bail on executing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

II) The applicant shall co-operate with the investigation and attend R.C.F. police station, Mumbai, as and when directed by the Investigating Officer.

III) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant and any of the persons acquainted with the facts of the case.

IV) It is clarified that these *prima facie* observations are confined to determine the entitlement to pre-arrest bail only.

V) The application stands disposed.

VI) In view of disposal of the ABA, the Interim Application also stands disposed.

[N. J. JAMADAR, J.]