

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

ANTICIPATORY BAIL APPLICATION NO.781 OF 2024

Riya Kailash Punjabi @
Riya Raju Motwani

.... Applicant

versus

The State of Maharashtra

.... Respondent

.....

- Mr. Shailesh Kantaria i/b. Asmitaa Bhoir, Advocate for Applicant.
- Smt. M. H. Mhatre, APP for the State/Respondent.
- Ms. Akshata Sawant, Advocate for original Complainant/Respondent No.2.

CORAM : SARANG V. KOTWAL, J.
DATE : 26th APRIL, 2024

P.C. :

1. This application is mentioned in the afternoon session out of turn because the matter is settled between the parties.

2. The Applicant is seeking anticipatory bail in connection with C.R.No.944/2023, dated 05/12/2023, registered with Kasturba Sub Police Station, Mumbai, under sections 420 r/w 34 of the Indian Penal Code.

3. Heard Mr. Shailesh Kantaria, learned counsel for the Applicant, Ms. Akshata Sawant, learned counsel for the complainant/first informant and Smt. M. H. Mhatre, learned APP for the State.
4. Learned counsel Ms. Akshata Sawant appears and states that she has instructions to appear for the first informant. She undertakes to file her Vakilpatra during the course of the day. The statement is accepted.
5. Both the learned counsel tendered the Consent Terms executed between the Applicant and the first informant. They are taken on record and marked 'X-collectively' for identification. The FIR is in respect of the consignment of oil which the Applicant was supposed to deliver to the informant. The allegations are in respect of misappropriation of price of that order.
6. The subject matter was of Rs.40 lakhs. The Consent

Terms mentions that Rs.8 lakhs will be paid through Demand Draft, a copy of which is annexed to the Consent Terms. The balance amount is to be paid through different Demand Drafts as mentioned in clause III of the Consent Terms.

7. The informant is present in the Court. The Consent Terms records that the matter is settled between the parties and the schedule of payment through the Demand Draft. The dispute is purely private. The parties have settled the matter. In clause IV, the first informant has categorically stated that he has agreed to give consent for grant of anticipatory bail to the Applicant.
8. Learned APP does not have any objection. The informant is present before the Court. He is identified by his learned counsel.
9. Considering this situation and the Consent Terms filed between the parties, there is no impediment in allowing this application.

10. Hence, the following order :

ORDER

- (i) In the event of her arrest in connection with C.R.No.944/2023, dated 05/12/2023, registered with Kasturba Sub Police Station, Mumbai, the Applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)