

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

ANTICIPATORY BAIL APPLICATION NO.773 OF 2024

Vinaykumar Kabra Applicant

versus

State of Maharashtra & Anr. Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO.780 OF 2024**

Ranjan Bhagwandas Sabu Applicant

versus

State of Maharashtra & Anr. Respondents

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- Mr. Divya V. Parab, Advocate for Applicant.
- Ms. Aafreen S. Shaikh, Advocate for Complainant.
- Mr. Nitin B. Patil, APP for the State/Respondent.
- Mr. Rohit R. Somani, Complainant-in-person, present in Court.

CORAM : SARANG V. KOTWAL, J.

DATE : 21st MARCH, 2024

P.C. :

1. Both these applications are being decided by this common order today, because they arise out of the same registered offence.

2. The Applicants are seeking anticipatory bail in connection with C.R.No.336/2022, dated 16/04/2022, registered with Hinjewadi Police Station, Pimpri-Chinchwad, under sections 406, 420, 467, 468 r/w 34 of the Indian Penal Code.
3. Heard Mr. Divya V. Parab, learned counsel for the Applicant, Ms. Aafreen S. Shaikh, learned counsel for Complainant and Mr. Nitin B. Patil, learned APP for the State.
4. The FIR is lodged by one Rohit R. Somani, who is the Respondent No.2 in these applications. It is his case that, during the Corona period, he had placed order for 5,000 gloves with the Applicant Ranjan Sabu, through recommendation of the Applicant Vinaykumar Kabra. The Applicants had received Rs.22,40,000/-, but the gloves were not supplied. On this basis, the FIR is lodged.
5. Today, learned counsel for the Applicants as well as the learned counsel for Respondent No.2/First Informant jointly

make a statement that the matter is settled between the parties. The informant is present in the Court. He is identified by learned counsel for the informant. He has filed affidavit in both these applications. In those affidavits, it is mentioned that the dispute is settled between the parties for Rs.15,40,000/-. There is reference to MOU which is annexed to the application at Ex.C.

6. It is further mentioned in the affidavit that the informant did not want to proceed with the matter as there was no dispute between him and the Applicants. In paragraph No.7 of the affidavit it is clearly mentioned that the Applicants can be granted anticipatory bail application.

7. I have considered these submissions and I have perused the memorandum of understanding. In that MOU there are reference to the post dated cheques. Learned counsel for the informant submitted that the informant is aware that the reference in the MOU, is to the post dated cheques. In spite of this fact, the informant has no objection for grant of anticipatory bail to the Applicants.

8. In this view of the matter, both these applications can be allowed.

9. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.336/2022, dated 16/04/2022, registered with Hinjewadi Police Station, Pimpri-Chinchwad, the Applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) each, with one or two sureties each, in the like amount.
- (ii) The applications are disposed of accordingly.

(SARANG V. KOTWAL, J.)