

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

**INTERIM APPLICATION NO.4065 OF 2022
IN
CRIMINAL BAIL APPLICATION NO. 1220 OF 2019**

Sachin Shridhar Walve ... Applicant/
Respondent No.3

IN THE MATTER BETWEEN

Vijay Vasudev Gurav ... Applicant/Accused
Versus
The State of Maharashtra and Ors. ... Respondents

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Mr. Amit D. Nikam i/b Uday G. Jaguste, for the Applicant.
Mr. A.A. Palkar, APP, for the Respondent-State.
Mr. Naman Jafri, for the original Accused.
Mr. Shekhar A. Pawar, PSI, Juhu Police Station, present.
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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 5th FEBRUARY, 2024.

P.C.

This is an application for cancellation of bail granted by this Court on 2nd March, 2021. The order reads as under;

“ ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount;

(ii) The applicant shall attend the concerned Police Station on the first Saturday of every month between 10:00 a.m. to 12:00 noon for a period of 12 months from the date of his release;

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(iii) The applicant shall deposit the Demand Draft of Rs.2,00,000/- drawn in the name of Registry of this Court, in the Registry, within one week from today;

(iv) The applicant shall deposit the balance amounts of Rs. 6,35,000/- as mentioned in para 5 of the affidavit-cum-undertaking also in the Registry of this Court i.e. Rs.50,000/- on or before 25/03/2021, Rs.50,000/- on or before 25/04/2021, Rs. 50,000/- on or before 25/05/2021, Rs. 50,000/- on or before 25/06/2021, Rs.1,62,000/- on or before 25/07/2021, Rs. 1,62,000/- on or before 25/08/2021 and Rs. 1,11,000/- on or before 25/09/2021.

(v) After the entire amount of Rs.8,35,000/- is deposited in the Registry as per para 5 of the affidavit-cum-undertaking and as stated aforesaid, Sachin Walve, Hemant Shivalkar, Raksha Shinde and Sanjeev Jagushte are permitted to withdraw their respective amounts as mentioned in para 4 of the affidavit-cum-undertaking, after showing proof of their identity.

(vi) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(vii) The applicant to cooperate with the conduct of the trial and attend the trial Court on all dates, unless exempted;

(viii) The applicant shall file an undertaking with regard to clauses (ii) to (vii) in the trial Court, within two weeks of his release;

(ix) If there is breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.”

2 Learned Counsel for the complainant- Sachin Shridhar Walve submits that the accused has already committed breach of the order since he has deposited an amount of Rs.3 lakhs only in the Registry. He also submits that he has already informed the concerned APP of this Court, however, no steps have been taken.

3 Learned Counsel for the original accused/respondent- Vijay Vasudev Gurav admits that there is a breach of the order passed by this Court on 2nd March, 2021.

4 Since the applicant has committed breach of the order, his bail bond is forfeited and surety is discharged. The bail is cancelled.

5 The concerned in-charge of Juhu Police Station is directed to arrest the accused and commit him to judicial custody.

6 Application is disposed of.

[PRITHVIRAJ K. CHAVAN, J.]