

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 4467 OF 2023
IN
BAIL APPLICATION NO. 1224 OF 2019

SANTOSH
SUBHASH
KULKARNI

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Prernaa Virendrakumar Arora ...Applicant
Versus
State of Maharashtra and anr. ...Respondents

Ms. Vinsha Acharya, a/r Prasad Pachal and Neha Rane, for
the Applicant.

Mr. Tanveer Khan, APP for the State/Respondent No.1.

Mr. Ranjit Agashe, a/w Anjani Sinha, i/b Ms. Namrata
Agashe, for Respondent Nos.2 to 4.

PI Babaram Shinde, Unit-5, EOW, Mumbai, present.

CORAM: N. J. JAMADAR, J.

DATED: 30th APRIL, 2024

PC:-

1. Heard the learned Counsel for the applicant, the
learned APP for the State and the learned Counsel for
respondent Nos.2 to 4.

2. The learned Counsel for respondent Nos.2 to 4 seeks
leave to tender an affidavit on behalf of respondent Nos.2 to

4. In paragraphs 4 and 5 of the affidavit, the following
averments are made:

“4. I state that subsequently the original complainant and
the accused settled the overall dispute and on account of
which, this Hon’ble Court, vide its order dated 31/10/2023,
was pleased to quash the said C.R. (FIR) No.316 of 2018
dated 14/07/2018 registered with Juhu Police Station,

Mumbai, which was subsequently transferred to E.O.W. Unit-3, Mumbai, having renumbered as C.R. (FIR) No.61 of 2018.

5. In view of such a settlement arrived at between the parties, I (in my personal capacity as well as in the capacity as Representative of other Respondents, do hereby give consent and no objection for releasing the amount of Rs.50 lakhs to Mr. Virendra Kumar Arora, father of the accused Ms. Prernaa Virendrakumar Arora.”

3. In view of the aforesaid averments and the fact that the prosecution arising out of CR No. EOW 61/2018 (original CR No.316/2018 registered with Juhu Police Station, Mumbai) in which bail was granted by this Court by an order dated 3rd May, 2019, has itself been quashed, the prayer for refund of the amount of Rs.50,00,000/- deposited by the father of the applicant is granted and the amount be refunded to the father of the applicant alongwith interest accrued thereon on proper identification.

4. Application stands disposed.

[N. J. JAMADAR, J.]