

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.242 OF 2024

Ashutosh Kumar ... Applicant

Vs.

The State of Maharashtra ... Respondent

WITH
CRIMINAL INTERIM APPLICATION NO.673 OF 2024
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.242 OF 2023

Ramkumar Dadhich ... Applicant

In the matter between:

Ashutosh Kumar ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr. Ashok Bhatia for the Applicant in ABA/242/2024.

Dr. Uday Warunjikar i/b. Mr. Dilip Shukla for the Applicant in
IA/4338/2023 and IA/673/2024.

Mr. S. R. Agarkar, APP for Respondent No.1 / State.

DCP Vishal Thakur, Detention I Mumbai .

CORAM : N. J. JAMADAR, J.

DATE : 18th MARCH, 2024

P. C. :

1. On 22nd February, 2024, when the matter was listed before this Court, the Consent Terms were tendered on behalf

of the parties. The Court had directed that the executants to the Consent Terms to remain present before this Court on the next date.

2. Today, the Applicant - Ashutosh Kumar - the first party to the Consent Terms, and Ramkumar Ramnarain Dadhich (First Informant) - the second party to the Consent Terms, are present before the Court. The Applicant and the first informant submit that the Consent Terms have been executed by them voluntarily. The executants to the Consent Terms admit the content of the Consent Terms and their signatures thereon.

3. It is submitted on behalf of the first informant that there is a breach of Consent Terms as the amount of Rs.3.45 Crores, which was agreed to be paid by 10th March, 2024, has not been paid.

4. Mr. Bhatia, learned counsel for the Applicant submits that there is corresponding obligation on the part of the first informant to withdraw the prosecution in the State of Rajasthan against the Applicant. That part of obligation has not been complied with by the first informant.

5. This position is disputed by Mr. Warunjikar, the learned counsel for the first informant.

6. At this stage and in this proceeding, the Court will not

delve into this aspect. Let the parties work out their dispute and adopt appropriate remedies.

6. By way of indulgence, the matter be posted on **1st April, 2024.**

7. Ad-interim relief, granted earlier, shall continue to operate till the next date of hearing.

(N. J. JAMADAR, J.)