

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

CR. ANTICIPATORY BAIL APPLICATION NO. 265 OF 2024

Venkatt Babanna Mandala	...Applicant
Versus	
State Of Maharashtra & Anr	...Respondents

Mr Rishi Bhuta i/b. Sagar A Shahani for the Applicant.
Ms. Mahalakshmi Ganapathy, APP for the Respondent-State.
Mr. B. B. Tiwari, a/w Adv. Viral Rathod, Adv. Ravishankar Dwivdei
for the intervener.

CORAM : SARANG V. KOTWAL, J

DATED : 31st JANUARY, 2024

P.C.:

1. Leave to amend to add the first informant as a party Respondent. Amendment to be carried out forthwith.
2. Issue notice to the newly added Respondent. Mr. Tiwari, learned Counsel waives service of notice on behalf of the newly added Respondent.
3. The Applicant is seeking anticipatory bail in connection with C. R. No. 795 of 2023 registered at Kherwadi Police Station, dated 22/11/2023 under sections 406, 420, 506 r/w. 34 of the Indian Penal Code.
4. Heard Mr. Bhuta, learned Counsel for the Applicant, Mr. Tiwari learned Counsel for the intervener and Ms. Ganapathy,

learned APP for the Respondent-State.

5. The FIR is lodged by Pallavi Sarmalkar. She was having her company Silvan Events. She wanted presidential gallery tickets for the world cup match, which was to be played in Ahmedabad on 14/10/2023. One Saurabh Nikam was working with the first informant's company. He agreed to arrange for the tickets. The gist of the FIR is that said Saurabh Nikam contacted the present Applicant and both of them had received money for presidential gallery tickets from the first informant. The FIR mentions that the informant had paid Rs.34.00 lakhs for 18 tickets of the presidential gallery but the informant was given only 9 tickets of presidential gallery and that too was not in serial numbers. The other 9 tickets were given to her, which were in different stand known as south premium and the price of each of those tickets was only Rs.10,000/- each. Thus, the informant was cheated to the tune of Rs.15,10,000/-.

6. Learned Counsel for the Applicant on instructions and without prejudice to his rights and contentions, makes a statement that the Applicant is willing to deposit an amount of Rs.10,00,000/- in this Court and that he has no objection if that amount is withdrawn by the informant.

7. Learned Counsel for the informant submitted that the informant is agreeable to such deposit by the Applicant and such withdrawal by the informant, and by this arrangement, the informant has no objection if the Applicant is protected u/s. 438 of the Cr.P.C.

8. Learned APP produced the investigation papers before me and made submissions on merits. However, considering the statement made by the learned Counsel for the Applicant, as of today the Applicant can be protected by way of ad-interim relief to test whether he is honouring his commitment made before this Court today.

9. Learned Counsel for the Applicant submitted that the said amount would be deposited within a period of three weeks from today.

10. Hence, the following order:

ORDER

(i) The Applicant is permitted to deposit an amount of Rs.10,00,000/- (Rupees Ten Lakhs Only) within a period of three weeks from today in this Court.

(ii) In the event of his arrest in connection C.R. No. 795 of 2023 registered at Kherwadi Police Station till the

next date, the Applicant be released on bail on his executing P.R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

(iii) This order shall operate till **28/02/2024**.

(iv) Stand over to 28/02/2024.

(SARANG V. KOTWAL, J.)