

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

ANTICIPATORY BAIL APPLICATION NO. 345 OF 2024

Bhushan Bhanudas Karale	..Applicant
Versus	
State of Maharashtra	..Respondent

**WITH
INTERIM APPLICATION NO. 529 OF 2024**

Vinay Narayan Mhatre	..Intervenor
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In the matter between

Bhushan Bhanudas Karale	..Applicant
Versus	
State of Maharashtra	..Respondent

Mr. Prashant Kamble a/w. Nikhil D. Waje a/w. V. V. Srivastav for Applicant.

Ms. Mahalakshmi Ganapathy, APP for State/Respondent.

Mr. Ramdas P. Hake Patil for Intervenor in IA/529/24.

**CORAM :- SARANG V. KOTWAL, J.
DATE :- 6 FEBRUARY 2024**

P.C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No.39 of 2024, registered at Badlapur (West) Police Station, District Thane, on 20.01.2024, under Sections 406 and 420 of the Indian Penal Code.

2. Heard Mr. Prashant Kamble, learned counsel for the applicant, Ms. Mahalakshmi Ganapathy, learned APP for the State and Mr. Ramdas Hake Patil, learned counsel for the Intervenor.

3. The F.I.R. is lodged by one Vinay Mhatre. He has stated that, he was in the business of land development and also in the business of sale and purchase of land. The applicant was known to him since long time. The informant came to know that the applicant had a land at survey No.65/5 at Katrap, Badlapur and that he wanted to sell 15.79 Gunthe of his land. The informant contacted the applicant and asked him whether he wanted to sell that land. The applicant told him that he wanted to sell that land. Both of them discussed and it was decided that the informant would purchase that land for Rs.4 crores. It is the case of the informant that, he had paid Rs.20 lakhs to the applicant through cheque in August 2023. In spite of that, no further steps were taken. The informant came to know that the applicant had sold that land to one Umakant Singh. The applicant did not return the informant's money. On this basis, the F.I.R. was lodged.

4. The informant has filed Intervention application vide I.A.No.529 of 2024 in this application. Therefore, I have heard the learned counsel for the applicant, as well as, learned counsel for the intervenor.

5. Learned counsel for the applicant makes a statement on instructions that the applicant is willing to refund the amount of Rs.20 lakhs with additional amount of Rs.75000/-. He further submitted that, he will deposit this amount in this Court within a period of three weeks from that and he shall have no objection for the informant to withdraw that amount. Learned counsel for the informant, on instructions of the informant, stated that the informant is willing to accept that amount.

6. Hence, the following order.

ORDER

- i) In the event of his arrest in connection with C.R.No.39 of 2024, registered at Badlapur (West) Police Station, District Thane, till the next date, the Applicant is directed to 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.

- ii) This order shall operate till 01/03/2024.
- iii) In the meantime, the applicant is permitted to deposit amount of Rs.20,75,000/- in this Court before the next date.
- iv) Stand over to 01/03/2024.

(SARANG V. KOTWAL, J.)