

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

ANTICIPATORY BAIL APPLICATION NO. 414 OF 2024

Vasudev Nago Patil

..Applicant

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Nehal Desale for Applicant.

Mr. Prashant Jadhav, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 8 AUGUST 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.32 of 2024 registered at Hill Line Police station, Thane city, on 15.01.2024, under section 420 of the Indian Penal Code.

2. Heard Ms. Nehal Desale, learned counsel for the applicant and Mr. Prashant Jadhav, learned APP for the State.

3. The F.I.R. is lodged by one Rajendra Narpatmal Lodha. He was the Managing Director of M/s. Macrotech Developers Ltd. His contention is that the Applicant and others are joint owners of

land at survey No.1/8, 1/9, 2/2 at village Asoda, Taluka Ambernath, District Thane, admeasuring 3800 sq. meters. The Applicant and other co-owners entered into a development agreement dated 05/04/2018. By that agreement, the informant's company was to develop that property and the owners were to be given Rs.1,30,000/-, as well as, the developed piece of land. The informant had spent at least Rs.10 Crores in developing a special township. But the Applicant had not cooperated and has not transferred the land in the company's name. The Applicant had the piece of land admeasuring 520 sq. meters in his share. But he has not transferred that piece of land in the informant's company's name. Therefore, the project was not being completed causing heavy monetary loss to the informant's company's. On this basis, the F.I.R. is lodged.

4. On 13.02.2024, I had protected the applicant by way of ad-interim order. I had directed the learned counsel for the applicant to add the first informant as a party respondent and I had issued notice to the first informant.

5. Today, learned counsel for the applicant states that the matter is settled between the parties.

6. Learned APP, on instructions of the I.O., states that the statement made by the learned counsel for the applicant is correct. Learned APP produced a letter dated 02.08.2024 given by the first informant to the Senior Inspector of Police, Hill Line police station, Ulhasnagar. Through that letter, the informant had stated that, through execution of the document dated 19.03.2024, the owners had transferred that land in the name of informant's company. Therefore, the informant did not have any grievance against the applicant in respect of C.R.No.32 of 2024 registered at Hill Line police station. He had requested to close the investigation of that offence.

7. Learned counsel for the applicant tenders an affidavit mentioning that the dispute between the applicant and the complainant was settled. He has annexed the document dated 19.03.2024. The Affidavit along with a copy of executed document dated 19.03.2024 is taken on record and marked 'X' for

identification. A copy of the letter sent by the first informant addressed to the Senior Inspector of Police, Hill Line Police station, Ulhasnagar, is taken on record and marked 'Y' for identification. Considering this situation, the applicant can be protected U/s.438 of the Cr.p.c.

8. Hence, the following order :

ORDER

- i) In the event of his arrest in connection with C.R.No.32 of 2024 registered at Hill Line Police station, Thane city, 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) The Application is disposed of.

(SARANG V. KOTWAL, J.)