

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

**ANTICIPATORY BAIL APPLICATION NO.437 OF 2024**

Rachana Shrikant Desai & Anr. ....Applicants  
Versus  
State of Maharashtra & Anr. .... Respondents

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Ms. Alpa Javeri, Advocate for the Applicants.  
Ms. Mahalakshmi Ganapathy, APP for the Respondent-State.  
Ms. Manasi Save, Advocate for Respondent No.2.

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**CORAM : SARANG V. KOTWAL, J.  
DATE : 08<sup>th</sup> MAY, 2024**

**P.C. :**

1. The Applicants were protected by way of ad-interim order dated 15.2.2024. Learned counsel for the Respondent No.2 had expressed the apprehension of being dispossessed from the premises where she is residing at present as the Applicants had not paid the installments of the loan in connection with that flat. The matter was referred to mediation. Now the mediation report shows that the mediation has failed. Therefore, the matter will have to be heard on merits. In the meantime, the Applicants have submitted an undertaking before the Court today. It is taken on record. It is mentioned in the undertaking

that the concerned bank had accepted the sum of Rs.5,50,000/- in connection with that loan. It is further mentioned that as of today all dues are cleared and the NP account is regularized. It is further mentioned that the bank had orally intimated that they were ready to wait for a couple of months.

2. Learned counsel for the Respondent No.2 submitted that the statement on behalf of the bank is made orally. Therefore, there is a possibility that the bank may take steps for evicting the Respondent No.2.

3. Considering the averments made in the affidavit, today the ad-interim relief can be extended. In case of any reasonable apprehension expressed by the Respondent No.2 in respect of possession of that particular flat, the Respondent No.2 is at liberty to move the Vacation Bench or Regular Bench in case of urgency.

4. The matter be listed on 10.7.2024. Ad-interim relief granted earlier to continue till the next date.