

Sayali Upasani

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

ANTICIPATORY BAIL APPLICATION NO.3029 OF 2023

WITH

INTERIM APPLICATION NO. 4388 OF 2023

WITH

ANTICIPATORY BAIL APPLICATION NO. 242 OF 2024

WITH

INTERIM APPLICATION NO. 673 OF 2024

WITH

ANTICIPATORY BAIL APPLICATION NO. 735 OF 2024

Saryu Prasad Yadav

...Applicant

Vs.

State of Maharashtra

...Respondent

Mr. Rajendra Rathod with Mr. Sahil Ahmed with Zeeshan Sardar with Mr. Sameer Shaikh, for Applicant in ABA/3029/2023 and ABA/735/2024.

Dr. Uday Warunjikar with Mr. Dilip Shukla, for Applicant in IA No. 4388 of 2023 and IA/673/2024.

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

Mr. S. R. Agarkar, APP for State/Respondent.

CORAM:- N. J. JAMADAR, J.

DATED:- 1st APRIL, 2024

PC:-

- 1) Heard the learned Counsel for the parties.
- 2) The learned Counsel for the applicant submitted that in accordance with the consent terms, the applicant has paid the balance amount of Rs.3,45,00,000/- to the first informant. A copy of the demand draft and the consent affidavit filed by the first informant in Criminal Application (st) No. 6022 of 2024 is tendered for the perusal of the Court.
- 3) Mr. Warunjikar, the learned Counsel for the first informant concurs with the said statement and submits that the amount of Rs.3,45,00,000/- has been paid and the parties have acted on the terms of the settlement.
- 4) Mr. Agarkar, the learned APP submits that the application filed by the applicants for quashing of the proceedings is scheduled to be listed soon.
- 5) In view of the aforesaid statements, with the consent of the Counsel for the parties, stand over to 17th April, 2024.
- 6) Ad-interim relief, granted earlier, shall continue to operate till the next date.

ANTICIPATORY BAIL APPLICATION NO. 735 OF 2024

1) This application is preferred for pre-arrest bail in connection with CR No. 385 of 2023, registered with Versova Police Station for the offences punishable under Sections 406, 420, 465, 467, 468, 471 and 506 read with Section 34 of the Indian Penal Code, 1860 and Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments), Act, 1999.

2) By an order dated 22nd February, 2024, this Court was persuaded to grant interim bail to co-accused Ashutosh Kumar in view of the settlement arrived at between the co-accused Ashutosh and the first informant. In terms of the said settlement, the Court is informed that the entire amount, as agreed, has been paid by the co-accused to the first informant.

3) By an order of even date, the interim protection to co-accused Ashutosh is continued till 17th April, 2024. In view of the fact that the interim protection in wake of the settlement has been granted to Ashutosh, who is the principal accused, the applicant also deserves the same dispensation.

4) Hence, the following order.

ORDER

I) In the event of the arrest of the Applicant-Sanjay Laxmiprasad Pandey in CR No. 385 of 2023, registered with Versova Police Station, he be released on bail on furnishing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

II) The applicant shall co-operate with the investigation and report to Versova Police Station, as and when directed.

III) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant or any of the prosecution witnesses or any of the persons acquainted with the facts of the case.

IV) Stand over to 22nd April, 2024.

[N. J. JAMADAR, J.]