

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

ANTICIPATORY BAIL APPLICATION NO.832 OF 2024

Kukibai Chadna & Anr.Applicants
Versus
State of Maharashtra Respondent

Ms. Manjiri Parasnis, Advocate i/b. Prakash J. Salsingikar for the Applicants.

Ms. Pallavi N. Dabholkar, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 28th MARCH, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.111/2023 on 25.5.2023 registered with Naigaon Police Station under 420, 406, 506 read with 34 of IPC.

2. Heard Ms. Manjiri Parasnis, learned counsel for the Applicants and Ms. Pallavi Dabholkar, learned APP for the Respondent-State.

3. Learned APP is seeking time as the I.O. is not present and she does not have full instructions. Therefore, I have heard learned counsel for the Applicants for consideration of ad-interim relief.

4. The gist of the FIR is that the Applicants along with co-accused offered to sell the Applicants' flat to the informant. He paid Rs.1,39,50,000/- to all the accused but the money was misappropriated and the offence was registered.

5. Learned counsel for the Applicants submitted that the co-accused Lioryd has filed A.B.A. No.404/2024. This Court vide order dated 21.2.2024 has granted ad-interim protection to the said Applicant based on the submissions on his behalf that he was willing to deposit an amount of Rs.79 Lakhs. Learned counsel for the Applicants submitted that the total amount mentioned in the FIR is Rs.1,39,50,000/-, out of which Rs.79 Lakhs is to be deposited by the co-accused as per his own statement. The Applicant No.1 is willing to deposit the remaining amount of Rs.60,50,000/- without prejudice to the Applicants rights and contentions on the merits of the matter.

6. Strictly based on this statement, today I am protecting the Applicants by way of ad-interim relief. Learned counsel for the Applicants shall add the first informant as a party respondent forthwith. Hence, the following order:

ORDER

- (i) Issue notice to the added respondent, returnable on 3.4.2024.
- (ii) In the event of their arrest in connection with C.R. No.111/2023 on 25.5.2023 registered with Naigaon Police Station, till the next date, the Applicants be released on bail on their executing P.R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.
- (iii) This order shall operate till 3.4.2024.
- (iv) The Applicants shall attend the concerned police station as and when called and shall cooperate with the investigation.
- (v) Stand over to 3.4.2024. This Application shall be tagged with ABA No.404/2024.

(SARANG V. KOTWAL, J.)