

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

ANTICIPATORY BAIL APPLICATION NO. 1865 OF 2024

Rohan Chandrashekhar Mathkari	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Gaurav Nankar i/by Mr. Piyush Toshniwal for the Applicant.
Mr. R. M. Pethe (through V.C.), APP for Respondent-State.

**CORAM: MANISH PITALE, J.
DATE : 2nd SEPTEMBER 2024**

P.C. :

1. In the order dated 16th July 2024 passed by this Court, a voluntary statement made on behalf of the applicant was recorded that he would deposit an amount of Rs.5,62,400/- before this Court and show his bonafide. This was in the backdrop that out of total amount of Rs.6,37,400/-, for which the informant was allegedly duped by the applicant, he had returned an amount of Rs.75,000/- to the informant. Without going into any further detail, this Court in paragraph 6 of the said order, referred to the voluntary statement of the applicant and granted interim protection. As per the undertaking given to this Court, the applicant was directed to deposit the said amount within three weeks from the date of the order.

2. In paragraph 9, it was further recorded as follows :

“9. It is made clear that in the event, the applicant violates any of the conditions recorded herein above, particularly the undertaking given to his Court to deposit the aforementioned amount, the present order shall stand recalled, without further reference to the Court.”

3. The applicant failed to deposit the said amount, despite giving the undertaking to this Court. It is to be noted that on the basis of the voluntary statement, this Court had granted interim relief in favour of the applicant, which he was enjoying. But, there is nothing to indicate that the applicant has cooperated with the investigation, for the reason that the learned counsel for the applicant submits that after the said order was passed, the applicant has not given any instructions or contacted the advocate.

4. In view of the aforesaid conduct of the applicant, particularly when the said order dated 16th July 2024 stood recalled due to the directions in paragraph 9 of the said order quoted hereinabove, as also the fact that interim order was granted on a voluntary statement and undertaking given to this Court, which was not abided by the applicant, this Court is inclined to dismiss the application.

5. Accordingly, the application is dismissed. Interim order already stood recalled, as per the self operating clause in paragraph 9 of the order dated 16th July 2024.

MANISH PITALE, J.