

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

Anticipatory Bail Application No.2264 of 2024

Shivkesh Jagdish Agrahari

Age 39 years, Occ. Builder & Developer,

R/at. Royah CHS, Room No.504,

Castle Mill, Near Hotel United 21,

Thane 400 601.

... Applicant

Vs.

1. The State of Maharashtra

(Through Kasarvadavli Police Station,

Dist. Thane)

2. Sanjudevi Manoj Yadav

R/at. Jankibai Chawl, Room No.2,

Bhayanderpada, Behind Rose Light

Apartment, Ghodbunder Road,

Thane (West).

... Respondents

Mr Safiullah Mansuri i/b. Salim Shaikh, for the Applicant.

Mr Arfan Sait, APP, for the Respondent/ State.

Ms Mayuri Hatle, Appointed Advocate for Respondent No.2/
informant.

API Vishal Rumane, Kasarwadavali Police Station, Thane City, is
present.

Coram: R. N. Laddha, J.

Date: 25 September 2024

P.C.:

The applicant, accused of committing the offence under
Section 420 of the Indian Penal Code bearing CR No.1126 of

2024, registered at Kasarwadavali Police Station, Thane City, has preferred this application for pre-arrest bail.

2. The prosecution alleges that the applicant induced respondent No.2/ the informant to pay Rs.2,61,000/- with the promise of selling her a room in Thane. However, when the applicant neither delivered the room nor returned the money, the informant lodged the present FIR.

3. Mr Safiullah Mansuri, the learned Counsel appearing on behalf of the applicant, submits that, to demonstrate *bona fides*, the applicant has already refunded Rs.70,000/- to respondent No.2/ the informant and has provided a demand draft of Rs.1,91,000/- dated 16 September 2024 issued in favour of respondent No.2. Ms Mayuri Hatle, the learned Counsel representing respondent No.2/ the informant, on instructions, confirms the receipt of Rs.2,61,000/- and consents to the granting of anticipatory bail to the applicant. Mr Arfan Sait, the learned Additional Public Prosecutor representing respondent No.1/ State, based on instructions from the investigating officer present in the Court, acknowledges that the investigation is complete, and the prosecution does not require the applicant's custody.

4. Upon reviewing the records, it is evident that the origin of the offence is civil in nature. The investigation has been

completed, and the parties involved have reached a compromise, resolving their dispute. The informant, who is present in Court and identified by his Counsel, has no-objection and agrees to the granting of anticipatory bail to the applicant. Considering these circumstances, this Court is inclined to grant pre-arrest bail to the applicant. Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in connection with CR No.1126 of 2024, registered at Kasarvadavli Police Station, Thane City, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

5. The application stands disposed of accordingly.

(R. N. Laddha, J.)