

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

ANTICIPATORY BAIL APPLICATION NO. 2422 OF 2024

Pawan Vijay Mane Partner of Green Valley ... Applicant
Versus
The State of Maharashtra ... Respondent

Mr. Ajit J. Kenjale a/w Sai Rajendra Kadam for the Applicant.
Mr. Tanveer G. Khan, APP for Respondent-State.
Mr. Amol Baban Shinde, API, EOW-II, Crime Branch, Navi
Mumbai Commissionerate.

CORAM: MANISH PITALE, J.
DATE : 11th SEPTEMBER 2024

P.C. :

. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. This anticipatory bail application filed in the context of the FIR No. 0162 of 2022 dated 18th July 2022, registered at Naveen Panvel Police Station, Navi Mumbai, subsequently transferred to EOW, Unit-II, Navi Mumbai, for offences under Sections 409 and 420 read with 34 of the Indian Penal Code, 1860 (IPC). The applicant is one of the three accused persons.

3. The FIR was registered as far back as on 18th July 2022 and in anticipatory bail applications filed by the co-accused persons, including the applicant herein, in the year 2022 itself, interim protection was granted on various dates in the year 2022 as an interim measure and it continued throughout till the anticipatory

bail applications of the applicant and the other accused persons were dismissed on 9th May 2024. A perusal of the order of the Sessions Court, dismissing the said applications, indicates that over a period of time, during the pendency of the applications before the Sessions Court, certain steps were taken by accused persons, including the applicant to address the grievance of the informant. It appears that according to the Sessions Court, despite time being granted, the entire grievance of the informant was not satisfied and this is recorded as one of the reasons for eventually rejecting the anticipatory bail applications.

4. Even before this Court, it is contended on behalf of the applicant that none of the flat purchasers raised any grievance and the dispute appears to be only between the informant and the accused persons, part of which appears to have been settled and a settlement pursis filed before the Sessions Court is annexed with this application at Exhibit 'D'.

5. In such circumstances, it would be appropriate that the informant is added as respondent No.2 in the present application.

6. The applicant has undertaken to cooperate with the Investigating Authority and it is undertaken that all efforts can be made to settle the grievance of the informant, if any.

7. In view of the above, leave is granted to the applicant to amend the application forthwith.

8. Issue notice to newly added respondent No.2, returnable on 15th October 2020, to be included in the supplementary list.

9. In the meanwhile, there shall be interim relief in the following terms :

(a) Till the next date, in the event the applicant is arrested in connection with FIR No. 0162 of 2022 dated 18th July 2022, registered at Naveen Panvel Police Station, Navi Mumbai, subsequently transferred to EOW, Unit-II, Navi Mumbai, he shall be released on bail on furnishing PR Bond of Rs.50,000/- and one or two sureties in the like amount.

(b) The applicant shall continue to cooperate with the investigation and he shall remain present before the Investigating Officer, as and when required.

(c) The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

10. In the event, the applicant violates any of the aforesaid conditions, the order passed today would be recalled.

11. List this application for further consideration on 15th October 2024, to be included in the supplementary list.

MANISH PITALE, J.