

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

Anticipatory Bail Application No. 2592 of 2024

Ashit Balwant Doshi
Aged 56 years, Occ. Business,
R/at. Flat No.607-C, 6th Floor,
Shree Samarth Building, Khareghat
Road, Dadar Parsi Colony, Dadar (E),
Mumbai – 400 014.

...Applicant

Vs.

1. The State of Maharashtra
Through the Senior Inspector of Police
Antop Hill Police Station, Sion (West),
Mumbai – 400 037.

2. Mr. Bhaskar Narsayya Udayamari
Aged 52 years, R/at. 10/N/10,
Transit Camp Dharavi, Near Dharavi
Police Station Dharavi.
Mumbai – 400 017.

...Respondents

Mr Ramesh Ramamurthy a/w. Mr Saikumar Ramamurthy, for the
Applicant.

Ms Supriya Kak, APP, for Respondent No.1 / State.

Mr Sujit Mane i/b. Vincent D'silva, for Respondent No.2 / informant.
PSI Sanjay Patil, Antop Hill Police Station, Mumbai, is present.

Coram: R. N. Laddha, J.
Date: 25 September 2024

P.C.

. Heard Mr Ramesh Ramamurthy, the learned Counsel appearing
for the applicant, Ms Supriya Kak, the learned Additional Public

Prosecutor representing respondent No.1/ State, and Mr Sujit Mane, the learned Counsel appearing on behalf of respondent No.2/ informant.

2. By this application, the applicant seeks quashing of the order dated 5 September 2024 passed by the learned Additional Sessions Judge, Mumbai, whereby bail granted to the applicant was cancelled. Further, the applicant also seeks renewal of his request for bail in anticipation of arrest in CR No.479 of 2023, registered at Antop Hill Police Station, Mumbai, for the offences punishable under Sections 406 and 420 read with 34 of the Indian Penal Code.

3. Mr Ramamurthy, the learned Counsel appearing on behalf of the applicant and Mr Sujit Mane, the learned Counsel appearing for respondent No.2 / informant, jointly submit that respondent No.2 and the applicant have resolved their dispute amicably. The informant has received three cheques of Rs.13,10,000/- each from the applicant, has no grievance, and expressed his consent to grant pre-arrest bail to the applicant. To this effect, respondent No.2 and the applicant have executed consent terms dated 24 September 2024, which is taken on record and marked 'X' for identification.

4. After perusing the records, it appears that the genesis of the offence is civil in nature arising out of the sale of property. The involved parties have now reached a comprehensive settlement regarding their dispute, and the informant consents to granting

anticipatory bail to the applicant in terms of the consent terms. The informant, present in the Court and identified by his Counsel, does not object, reaffirms the contents of the consent terms and agrees to grant pre-arrest bail to the applicant.

5. In this backdrop, the application is allowed in the following terms:

(a) The order dated 5 September 2024 passed by the learned Additional Sessions Judge, Mumbai, in Criminal Misc. Application No.484 of 2024 is quashed and set aside.

(b) In the event of the applicant's arrest in connection with CR No. 479 of 2023, registered at Antop Hill Police Station, Mumbai, 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.

6. The application stands disposed of accordingly.

R. N. Laddha, J.