

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

**ANTICIPATORY BAIL APPLICATION NO. 2602 OF 2024**

Vishwajeet Subhash Jhavar ... Applicant

Versus

The State of Maharashtra & Anr. ... Respondents

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Mr. Atul Damle, Senior Advocate, i/by Amit Gharte a/w Priya Vardhan and Ansari Faiyaz for the Applicant.

Ms. Megha S. Bajoria, APP for Respondent-State.

Adv. Divya Yajurvedi a/w Pradeep Kumar, Julius D'Souza and Harshavardhan Ghadge i/by Abhishek Srinivasan for Respondent No.2.

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**CORAM: MANISH PITALE, J.**

**DATE : 20<sup>th</sup> DECEMBER 2024**

**P.C. :**

. In the light of the interim order dated 26<sup>th</sup> September 2024 and subsequent order dated 18<sup>th</sup> November 2024 passed by this Court, the learned Senior Counsel appearing for the applicant candidly submitted that although, amount of Rs.1,94,17,660/- was to be deposited by 19<sup>th</sup> December 2024, as per the extension of time granted by this Court, only an amount of Rs.50,00,000/- could be deposited today in the morning with the respondent No.2.

2. The learned counsel for respondent No.2 submits that the actual fact about the said amount being received is yet to be confirmed by respondent No.2.

3. The learned Senior Counsel appearing for the applicant makes a statement that the balance amount now remaining i.e.

Rs.1,44,17,660/-, would be positively paid to respondent No.2 by tomorrow (21<sup>st</sup> December 2024).

4. It is to be noted that this Court had granted interim relief in favour of the applicant, *inter alia*, on a voluntary undertaking given by the applicant to this Court. The said voluntary undertaking was only partly complied and therefore, on 18<sup>th</sup> November 2024, this Court had shown indulgence and extended the time for depositing the balance amount. Even today, the voluntary undertaking has not been fully complied with and the aforesaid statement has been made.

5. In such circumstances, the following directions are issued :

(a) The applicant shall file proof of having paid the aforementioned balance amount of Rs.1,44,17,660/- to the respondent No.2, by Tuesday (24<sup>th</sup> December 2024). If such proof is filed in the Registry by the aforesaid date, the application shall be listed for further consideration on 6<sup>th</sup> January 2025, at the top of the list and the interim order shall continue to operate till then.

(b) In the event, the applicant fails to pay the said balance amount and proof thereof is not filed in Registry by 24<sup>th</sup> December 2024, this application shall be dismissed, without reference to Court and the interim order shall stand vacated.

**MANISH PITALE, J.**