

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

Anticipatory Bail Application No.2666 of 2024

Gurjyot Singh Tirlochan Singh Keer

Age 29 years, Occ.: Teacher

Adult, Indian Inhabitant

Residing at:- Room No.64/2,

Hindustan Chowk, G.S. Marg,

Mulund Colony, Near Golden

Star Hall, Mulund West,

Mumbai - 400 082

... Applicant

v/s.

1. The State of Maharashtra

At the instance of Sr. Inspector

of Police Mulund Police Station,

Mumbai - 4000082

2. Rahul Rathod

3. Surekha Rathod

Both residing at Nirmal Nagar,

Near Swami Nagri, D.R. Road,

Mulund (W), Mumbai - 400 080

4. Sunanda Patne, R/at Rom No.281,

Nirmal Nagar, Behind Swapna Nagri,

D.R. Road, Mumbai - 400 080

5 Swapna Manve, R/At Room No.279,

Nirmal Nagar, Behind Swapna Nagri,

D.R. Road, Mulund (W),

Mumbai 400 080.

... Respondents

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Mr Inderpal Singh, for the Applicant.

Mr Yogesh Y Dabke, APP, for Respondent State.

Ms Navita Jadhav, for Respondent Nos. 2 to 5.

Complainant present in-person.

PSI Dnyaneshwar Ladse, PSI, Mulund Police Station, is present.

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Coram : R.N. Laddha, J.

Date : 8 October 2024

P.C. :

. Heard Mr Inderpal Singh, the learned Counsel appearing on behalf of the applicant; Mr Yogesh Dabke, the learned Additional Public Prosecutor representing respondent no.1/State; and Ms Navita Jadhav, the learned Counsel appearing for respondents no. 2 to 5.

2. By this application, the applicant, apprehending arrest in CR No.560 of 2024, registered at Mulund Police Station, Mumbai, for offences punishable under Sections 182(2), 191(2), 191(3), 190, 109(1), 118(1), 352, 74 and 308(3) of the Bharatiya Nyaya Sanhita, 2023, seeks pre-arrest bail.

3. Mr Singh, the learned Counsel representing the applicant, asserting the applicant's innocence, submits that the applicant has been falsely implicated in the crime for the same incident. He further submits that cross FIR bearing No.561 of 2024 has been lodged by

the applicant, against respondents no.2 to 5, where the applicant has consented to grant respondent nos. 2 to 5 pre-arrest bail. The learned Counsel also submits that the parties have amicably resolved their dispute and entered into a settlement.

4. Ms Jadhav, the learned Counsel representing respondents no. 2 to 5, confirms that the parties have settled the matter and the respondents have executed a consent affidavit dated 10 October 2024. The complainant is present before this Court and identified by his Counsel. He reiterates the content of his affidavit and extends his consent to grant pre-arrest bail to the applicant.

5. Further, the respective learned Counsel for the applicant and respondents no. 2 to 5 jointly inform the Court that dispute is resolved amicably and the settlement has been reached voluntarily, without any undue influence, threat or coercion.

6. Mr Yogesh Dabke, the learned Additional Public Prosecutor representing respondent no.1/State, submits that the investigation has concluded and appropriate orders may be passed in view of the settlement between the parties.

7. Given the peculiar facts and circumstances, the settlement

between the parties, and the fact that the informant is no longer interested in pursuing the matter, the applicant's arrest would not serve the ends of justice. Accordingly, this Court deems it fit 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.560 of 2024, registered at Mulund 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.
- (ii) The applicant shall attend the concerned Police Station as and when required.
- (iii) The applicant, himself or through any other person, shall not tamper with the evidence or influence the witnesses.

8. The application stands disposed of accordingly.

(R.N. Laddha, J.)