

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2699 OF 2024

Ramesh Bhimrao Kambale	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

Mr. Ravindra Wagh for Applicant.

Ms. R. V. Newton, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : OCTOBER 15, 2024

P.C. :

1. The applicant has approached this Court as he apprehends arrest in connection with FIR No.0406 of 2022 dated 20.08.2022 registered with Vita Police Station, District - Sangli, for offences under Sections 420, 468, 471 and 472 of the Indian Penal Code, 1860 (IPC).

2. Although the FIR was registered about two years and two months ago, the applicant has approached this Court as two anticipatory bail applications moved by the applicant were dismissed by the Sessions Court.

3. Mr. Wagh, learned counsel for the applicant submits that although the allegations in the present case appear to be serious, there is a civil dispute in the background, on the basis of which, the applicant claims that this is a case of false implication. It is further brought to the notice of this Court that the informant along with two others executed a settlement agreement on 26.12.2022, with specific reference to the subject FIR. It is acknowledged in the said document that an amount of Rs.2.54 lakhs was paid by the applicant and that the informant and the two other persons party to the agreement, no longer had any grievance

against the applicant.

4. The Sessions Court in its order dated 19.03.2024 did notice the said settlement agreement dated 26.12.2022, but it was held that the said agreement and repayment of amount could be considered by the investigating officer during further investigation. It was emphasized that the active role of the applicant in the present crime was obvious.

5. This Court is of the opinion that it would be appropriate that the first informant is added as a respondent in the present application and notice is issued to him before the application is disposed of.

6. But, in the meanwhile, considering the contents of the aforesaid settlement agreement dated 26.12.2022, it would be appropriate to grant interim relief in favour of the applicant.

7. In view of the above, leave is granted to the applicant to amend the application to add the first informant as respondent No.2. The amendment be carried out forthwith.

8. Issue notice to the respondent No.2, returnable on 18.11.2024, High on Board. Respondent No.2 shall be served through the investigating officer, for which purpose, the applicant shall provide a copy of this application within a week to the investigating officer.

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

- A. Till the next date, in the event the applicant is arrested in connection with FIR No.0406 of 2022 dated 20.08.2022 registered with Vita Police Station, District - Sangli, he shall be released on bail on furnishing PR Bond of Rs.50,000/- with one or two sureties in the like amount;
- B. The applicant shall remain present before the investigating

officer on 17.10.2024 between 10:00 a.m. and 12 noon and thereafter as and when required by the investigating officer;

- C. The applicant shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

10. Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

11. List on 18.11.2024, H.O.B.

(MANISH PITALE, J.)

Minal Parab