

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

**INTERIM APPLICATION NO. 2197 OF 2024
IN
CRIMINAL APPEAL NO. 587 OF 2024**

Rish Purushottam Sarawagi & Ors.	..Applicants
Versus	
The State of Maharashtra & Anr.	..Respondents

Mr. Rajiv Patil, Sr. Advocate a/w. Viral Rathod i/b. Tushar V. Dube
for Applicants.
Smt. M. R. Tidke, APP for State/Respondent.
Mr. Avinash S. Ovhal for Respondent No.2.

**CORAM : SARANG V. KOTWAL, J.
DATE : 27 JUNE 2024**

PC :

1. The applicants are seeking bail during pendency of their Appeal No.587 of 2024. The applicants were convicted for commission of offences punishable U/s.493, 494 and 495 of the I.P.C. The applicant No.1 was sentenced to suffer R.I. for 7 years and to pay a fine of Rs.5000/- for each offence and in default to suffer S.I. for two months for each default. The Applicant Nos.2, 3 and 4 were sentenced to suffer R.I. for two years each and to pay a fine of Rs.2500/- for each offence and in default to suffer R.I. for

one month for each default. All of them were charged for commission of offences punishable under sections 307, 323, 406, 417, 420, 498A and 506 r/w. 34 of the I.P.C., under sections 3 and 4 of the Dowry Prohibition Act and U/s.66D of the Information Technology Act. They were acquitted from all these charges. After conviction the applicant Nos.2, 3 and 4 were granted bail for a limited period U/s.389 of the Cr.p.c. The applicant No.1 is in jail as of today.

2. On the last occasion i.e. on 18.06.2024, the first informant who was present in the Court had sought time to engage an advocate. Today she is represented by an advocate.

3. Learned senior counsel for the applicants, as well as, learned counsel for the first informant jointly state that this matter is settled between the parties and they have tendered consent terms in Criminal M.A.No.250 of 2021 in the court of J.M.F.C., Belapur.

4. Learned counsel for the first informant tendered an affidavit today in the Court mentioning that she has no objection if

bail is granted to all the applicants as they have settled the matter amicably. The copy of the consent terms and the affidavit filed by the Respondent No.2 are taken on record.

5. The consent terms mentioned that the first informant is to get monetary compensation. All the applicants were on bail during trial. The consent terms show that the matter is settled and the Respondent No.2 i.e. the first informant has to be compensated monetarily. The maximum sentence imposed on the applicant No.1 is 7 years and on others it is only two years. Considering these circumstances, the applicants can be granted bail during pendency of their appeal.

6. Hence, the following order:

ORDER

- i) During pendency and final disposal of Criminal Appeal No.587 of 2024, the Applicants are directed to be released on bail on their furnishing P. R. bonds in the sum of Rs.30000/- each with one or two sureties each in the like amount.
- ii) The Applicant No.1 is permitted to furnish cash

bail of the said amount for a period of one month from today; during which period he will have to furnish the sureties as directed.

iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)