

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

ANTICIPATORY BAIL APPLICATION NO.527/2025

SHILADEVI PRABHAKAR CHANDANE	...APPLICANT
VS	
STATE OF MAHARASHTRA	...RESPONDENT

**WITH
ANTICIPATORY BAIL APPLICATION NO.528/2025**

PRAJYOT PRABHAKAR CHANDANE	...APPLICANT
VS	
STATE OF MAHARASHTRA	...RESPONDENT

**WITH
ANTICIPATORY BAIL APPLICATION NO.886/2025**

NAZMEEN AYYUB SHAIKH	...APPLICANT
VS	
STATE OF MAHARASHTRA	...RESPONDENT

...

Adv. P. B. Birajdar for the Applicants.
Adv. Avinash A. Naik, APP for the Respondent State.

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CORAM : RAJESH S. PATIL, J.

DATED : APRIL 28, 2025

P.C.:

1. By an order dated 8 April 2025, passed in all the three ABA, pre-arrest bail was granted to the applicants with certain conditions and the applicants Shiladevi Chandane and Prajyot Chandane were permitted to deposit the deficit stamp duty of Rs.5,17,025/-with the stamp duty office. Today, a submission is made before me by learned counsel for the applicant Mr. Birajdar that the said amount of deficit stamp duty without prejudice to the rights and contentions of the

applicants has been deposited with the stamp office. A photo copy of the Chalan is tendered before this Court and the same is taken on record and marked as “X1” for identification. For ease of reference the scanned copy of the said chalan is reproduced herein below :

[illegible]

2. The applicants have complied with the directions given by this Court.

3. The learned APP submits that the applicants would be liable to pay penalty at the rate of 2% per month. The said amount as of today comes to Rs.14,99,000/-.

4. Mr. Birajdar, submits that the applicants are disputing this amount. Without prejudice to the rights and contention the applicants were ready to pay the deficit stamp duty, which they have paid. A nominal interest, if any, the applicants were ready to pay without prejudice, to give a full stop to the litigation, however, the amount as calculated by the stamp office, the applicants would not be liable to pay. Therefore, he seeks withdrawal of the amount deposited by the applicant of Rs.5,17,025/- in this Court.

5. After hearing Mr. Birajdar and the learned APP, I am convinced that the amount of Rs. 5,17,025/- deposited by the applicant should be allowed to be withdrawn since the same was deposited in this Court without prejudice to the rights and contention in order to show their bonafides. The deficit stamp duty has already been paid by the applicants on 15 April 2025.

6. The applicants are permitted to withdraw a sum of Rs.5,17,025/- deposited in this Court.

7. The motion is disposed off.

(RAJESH S. PATIL, J.)