

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.4204 OF 2024

Anwar Ali Machiwala .. Applicant
Versus
The State of Maharashtra .. Respondent

WITH
BAIL APPLICATION NO.100 OF 2025
IN
BAIL APPLICATION NO.4204 OF 2024
WITH
INTERIM APPLICATION NO.99 OF 2025
IN
BAIL APPLICATION NO.4204 OF 2024

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- Mr. Dilip Shukla, Advocates for Applicant.
 - Ms. Savita M. Yadav, APP for Respondent.
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CORAM : MILIND N. JADHAV, J.
DATE : MARCH 17, 2025

P.C.:

- 1.** Mentioned out of turn at the time of rising of the Court.
- 2.** Heard Mr. Shukla, learned Advocate for Applicant and Ms. Yadav, learned APP for Respondent.
- 3.** Application is filed on 30.09.2024 for seeking bail by Applicant who is incarcerated for past more than 8 years for offences punishable under Sections 420, 467 of the Indian Penal Code, 1860 and other allied offences.
- 4.** Case of Applicant is that on complaint filed by First Informant – Complainant an amount of Rs.1,67,00,000/- was due and

payable to him by 3 Accused persons arraigned in present crime. Accused No.1 has been granted bail on she depositing an amount of Rs.10,00,000/- with the prosecution.

5. In so far as Accused No.3 is concerned, he has not only been granted bail on deposit of Rs.75,00,000/- but case against him has also been quashed by prosecution. In so far present Applicant arraigned as Accused No.2 is concerned according to learned Advocate he has paid an amount of Rs.19,15,000/- to the First Informant – Complainant.

6. Mr. Shukla would inform the Court that dispute between parties pertains to a commercial transaction with respect to scrap material and there was a oral agreement which was fructified by the parties *qua* each other. He would inform the Court that before the Trial Court Applicant filed a *pursis* to show his *bonafides* that he will deposit an amount of Rs.50,00,000/- out of which he deposited Rs.19,15,000/-. He would inform the Court that Applicant is not in a position to deposit any further amount but Court is persuaded to consider the aforesaid facts for releasing him on bail due to his long incarceration.

7. Considering the aforesaid, learned APP shall take appropriate instructions from the Investigating Officer and inform the Court about precise role of Applicant on the next adjourned date when this Application shall be heard and decided by this Court finally.

8. Stand over to **04th April, 2025**. To be placed **‘First on Board’**
on the **‘Supplementary Board’**.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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