

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3255 OF 2024

Adnan Fakruddin Kanorwala	...Applicant
Versus	
The State Of Maharashtra	...Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO. 3257 OF 2024

Rashida Adnan Kanorwala	...Applicant
Versus	
State Of Maharashtra	...Respondent

Ms. Srishti Singh, Advocate for the applicant.

Ms. Rutuja A. Ambekar, APP for the State.

Mr. R. B. Mokashi, Advocate for Respondent No2.

CORAM : RAJESH S. PATIL, J.

DATED : 28 APRIL 2025

P.C.:

1. The consent terms were entered into between applicants and respondent no.2. The said consent terms were taken on record as recorded in order dated 9 January 2025. For ease of reference the order dated 9 January 2025 is reproduced herein below :

1. Heard Ms. Singh, learned Advocate for Applicant, Mr.

Mokashi, learned Advocate for Respondent No.2 and Mrs. Bajoria, learned APP for State.

2. Parties have executed consent terms and are desirous of amicably putting an end to their differences and disputes. Consent terms are signed by Applicant and Private Respondent. Copy of the consent terms is given to the learned APP, who shall forward the same to the Investigating Officer.

3. The contents of consent terms clearly state that parties have exchanged amounts in full and final settlement of their differences and disputes. The consent terms are taken on record on record and marked as "X" for identification. It shall be kept on record of this Court. 4. Meanwhile ad-interim protection, if any, granted earlier shall continue till the next date of hearing and no coercive steps shall be taken against the Applicant.

5. Stand over to 23rd January, 2025.

2. The learned advocate for Respondent No. 2 submits that consent terms have been executed between the parties; however, the present applicants are not attending or cooperating with the investigating officer. Specific directions need to be given to the applicants to remain present at the office of the investigating officer in order to record their statement.

3. The learned advocate for the applicants submits that the applicants have cooperated with the investigating officer. However, whenever the applicants' visits the office of the investigating officer, the mobile phone of the investigating officer is found to be switched off.

4. The learned APP submits that the present investigating officer is usually assigned to night shift, therefore, it is difficult for him to keep his mobile phone switched on during the morning hours.

5. Heard the learned advocate for all the parties, at this stage,

according to me, a case is made out to allow the present anticipatory bail applications on certain conditions :

ORDER

- (a) The anticipatory bail applications are allowed
- (b) In the event of arrest of the Applicants, C.R. No. 1373 of 2024, dated 24 September 2024, registered with Bandra Police Station, District Brihan Mumbai, under Sections 421, 420, 419, 411, 408, 406, 403, 120-B read with Section 34 of the Indian Penal Code, the Applicants shall be released on bail furnishing P.R. bond to the extent of Rs.30,000/- each with one or more sureties of the like amount.
- (c) The Applicants shall co-operate with the investigation and attend the investigating officer of the concerned police station on 5 May 2025 and 6 May 2025 between 09:00 p.m. to 11.00 p.m., thereafter as and when called.
- (d) The Applicants shall not directly or indirectly make any inducement, threat or promise to victim and to any person acquainted with facts of case so as to dissuade him/her from disclosing the facts to Court or any Police Officer and should not

tamper with evidence.

(e) The Applicants shall furnish his contact number and residential address to the investigating officer and shall keep him updated, in case there is any change.

(f) The Applicants and his surety shall provide their respective mobile numbers, e-mail address and documents pertaining to the place of residence.

7. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

8. In view of the above, the present Anticipatory Bail Applications are disposed of.

(RAJESH S. PATIL, J.)