

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.618 OF 2023

Prabir Kanta Saha ...Applicant
Versus
The State of Maharashtra ...Respondent

WITH
INTERIM APPLICATION NO.2064 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO.618 OF 2023

Darshana Rohit Nandu Nee Darshana Rajendra ...Applicant
Kolambkar
Versus
The State of Maharashtra ...Respondent

Ms. Sumandevi Yadav i/b. Mr. Manoj Kumar Upadhyay, for the Applicant.
Ms. Carina Xavier and Mr. Raj Ambekar for the Intervenor.
Mr. Milind Subhash Borase, PSI, Tulinj Police Station, present.
Ms. Rama Prabir Kanta Saha, Applicant's Wife, present.
Ms. Darshana Rohit Nandu nee Darshana Rajendra Kolambkar, the Intervenor, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 10th JUNE 2025

PC:-

1. Heard Ms. Sumandevi Yadav, learned Counsel appearing for the Applicant and Ms. Carina Xavier, learned Counsel appearing for the Intervenor.

2. A learned Single Judge has passed the following order on 8th May 2025.:

“ . Heard learned counsel for the Applicant, the learned APP for the Respondent-State and learned counsel for the Intervenor.

2. The learned counsel for the Applicant, on instructions, submit that wife of the Applicant is ready to pay Rs.13,80,000/- to the Intervenor i.e. First Informant within one year in three installments i.e. three months each and she will file undertaking by the next date and seeks time to file undertaking. Her statement is accepted.

3. Stand over to 10th June 2025.

4. Interim relief, if any, granted earlier, to continue till next date.”

3. In compliance with the said order dated 8th May 2025, an undertaking dated 10th June 2025 is tendered in the Court today. The said undertaking is taken on record and marked ‘X’ for identification. Paragraph Nos.2 to 5 of the said undertaking reads as under:

“ 2. That in pursuance of the directions and observations made by this Hon’ble Court vide Order dated 08th May 2025, I undertake to pay a total sum of Rs.13,80,000/- (Rupees Thirteen Lakhs Eighty

Thousand Only) to the Intervenor i.e. the First Informant.

3. That the said amount shall be paid in three equal instalments of Rs.4,60,000/- (Rupees Four Lakhs Sixty Thousand Only) each, at intervals of three months, commencing from the date of this Undertaking.

4. That I shall ensure timely and complete payment of each instalment, without any default, and shall submit proof of such payment before this Hon'ble Court, if required.

Sr. No.	INSTALLMENT AMOUNT (₹)	DUE DATE	REMARK
1.	Rs.4,60,000	01 st January 2026	First Installment
2.	Rs.4,60,000	01 st April 2026	Second Installment
3.	Rs.4,60,000	01 st July 2026	Final Installment-Full Payment Complete

5. That in the event of any default on my part in complying with the above undertaking, I understand that the Intervenor shall be at liberty to take appropriate legal recourse, including seeking revocation of the reliefs granted in my favour.”

4. A learned Single Judge by the order dated 20th March 2023 has already granted interim protection to the Applicant. Ms. Carina Xavier, learned Counsel appearing for the Intervenor, on the instructions of the Intervenor, who is present in Court states that Anticipatory Bail Application can be disposed of in terms of the said order dated 20th March 2023, subject to the Applicant through

his wife complying with the aforesaid undertaking given to this Court.

5. Accordingly, the Anticipatory Bail Application is allowed in terms of the order dated 20th March 2023. In case the undertaking given to this Court is breached, then the liberty is granted to the Intervenor to apply for cancellation of the order granting Anticipatory Bail.

6. In view of the disposal of the Anticipatory Bail Application, nothing survives in the Interim Application and the same is also disposed of, subject to above.

7. Although the Anticipatory Bail Application is disposed of, to report the compliance of undertaking given to this Court, stand over to **12th January 2026**.

[MADHAV J. JAMDAR, J.]