



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.278 OF 2025

ASHOK NIVRUTIRAO PAIKRAO

...APPLICANT

VS

STATE OF MAHARASHTRA

...RESPONDENT

...

Adv. Dhiren Pattnaik for the Applicant.

Adv. Avinash A. Naik APP for the State.

Adv. Siddharth Singh i/b Rakesh Saingh for the Complainant.

PSI Pravin Yadav, MIDC Police Station.

...

CORAM : RAJESH S. PATIL, J.

DATED : MARCH 3, 2025

P.C.:

1. This Court by its order dated 7 February, 2025 had recorded the undertaking in writing given by the applicant. For ease of reference, the said order dated 7 February, 2025 is reproduced herein below :

“1. The present anticipatory bail application has been filed by the applicant against an informant that a sum of Rs.30,00,000/-was paid to the applicant. However, the business deal could not be fructified. Therefore, the informant sought refund of the amount paid to the applicant.

2. Today, the applicant has filed an undertaking before this Court. The undertaking given by the applicant is accepted as an undertaking given to this Court. The said undertaking is taken on record and marked 'A' for

identification.

3. For ease of reference, the said undertaking is reproduced hereinbelow:

UNDERTAKING

I, Ashok Nivrutirao Paikrao, Age 47 years, Occupation: Businessman, R/a-905, Blue Mountain, Opp. Bhakti Vedant School, Shastri Nagar, Lokhandwala, Andheri (West), Mumbai, the Applicant abovenamed, do hereby undertake to pay Rs.25,00,000/- (Rupees Twenty Five Lakhs Only) in two installments of Rs.12,50,000/- each (Rupees Twelve Lakhs Fifty Thousand Only) through RTGS in the Complainant's Account.

I undertake to pay the First Installment on 1" day of March 2025 and the Second Installment on 1" day of April, 2025. That with this undertaking I am attaching the printout of the screenshot of payment of Rs.5,00,000/- (Rupees. Five Lakhs Only) in the Complainant's Account.

4. A sum of Rs.4,00,000/- has already been transferred to the informant by the applicant as per the statement made by the learned counsel for the applicant. He further submits that a sum of Rs.1,00,000/- will be further transferred during the course of the day in the account of the informant.

5. In view of the mutual settlement, the learned counsel for the applicant and learned counsel for the complainant submits that the matter be posted on 3rd March, 2025.

6. Stand over to 3rd March, 2025. Matter to be placed under the caption 'For Compliance'.

7. In the meantime, the police should not take any kind of coercive action against the applicant, including calling the applicant for recording statement.”

2. As per the said written undertaking of the applicant, that

he will be paying a sum of Rs.25,00,000/- by two installments, interim protection was granted to the applicant.

3. Today Mr. Pattnaik, submits that due to certain excegencies, the applicant was not able to pay the first installment. Therefore, some more time be granted to him.

4. Since the applicant has not complied with the directions given by this Court and has also not complied with the undertaking which is voluntarily given by the applicant to this court, the interim protection granted to him needs to be vacated. Accordingly, interim protected granted to the applicant is hereby vacated.

5. Mr. Pattnaik, learned counsel for the applicant now, at this stage, submits that he wants to withdraw the anticipatory bail application filed by the applicant.

6. Since the learned counsel for the applicant is seeking to withdraw the present anticipatory bail application, the same stands disposed off as withdrawn.

(RAJESH S. PATIL, J.)