



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

ANTICIPATORY BAIL APPLICATION NO. 433 OF 2025

Varun Bagla And Anr.

...Applicants

V/s

The State of Maharashtra And Ors.

...Respondents

...

Adv. Karan Mehta Shubham Kadam a/w Madhu Gadodia and
Lokesh Kansal i/b Naik Naik & Co for the Applicants.

Adv. Supriya Kak, APP for the State.

...

CORAM : RAJESH S. PATIL, J.

DATED : 13th FEBRUARY, 2025

P.C.:

1. The present Application is filed by the Applicants for transit bail.

2. It is a case of the Applicants that they are producers in film industry and have entered into a MOU dated 9th October, 2024 through their firm, with Respondent No.3's firm. Pursuant to which the firm of Respondent No. 3 was supposed to invest for sum of Rs. 5 crores in the production house of the Applicants. As per the said MOU, admittedly, Respondent No.3's firm deposited a sum of Rs. 4 crores with the Applicants. However, since disputes arose between the parties, therefore, the MOU could not further

materialized. Hence, the Applicants invoked the arbitration clause. However, in the mean time, Respondent No. 3 filed an FIR with the Kotwali Police Station, Dehradun on 7th February, 2025 for the offences punishable under Section 308(5), 318(4), 336(3), 338, 340(2), 351(3), 352, 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Mr. Mehta, learned counsel for the Applicant submits that in fact, the Applicants are ready to work out the whole dispute by returning back the entire payment of Rs. 4 crores invested by Respondent No. 3's firm. To show his bona fide, he is immediately paying Rs.1 crore to the respondent no.3's firm, he has handed over photocopy of the Demand Draft of Rs. 1 crore drawn in the name of Respondent No. 3's firm dated 13th February, 2025. Mr. Mehta undertakes that the said Demand Draft will be handed over to Respondent No. 3 firm within a period of four days from today and the balance amount of Rs. 3 crores will be paid to Respondent No. 3 within a period of four weeks from today.

4. The submissions made by Mr. Mehta, learned counsel for the Applicants is accepted as an undertaking given to this Court. The photo copy of the Demand Draft of Rs. 1 crore is taken on record and marked as 'X' for identification.

Hence, according to me, a prima facie case is made to grant transit bail.

In the event of their arrest in connection with Cr. No.48/2025, dated 07/02/2025 registered with Kotwali Police Station, Deharadun, the Applicant be released on bail for a period of five weeks on their executing PR Bond in the sum of Rs. 30,000 (Thirty Thousand Only) each with one or two sureties each in the like amount.

5. **Anticipatory Bail Application is accordingly disposed of.** All questions to law are kept open.

6. All concerned to act on authenticated copy of this order.

(RAJESH S. PATIL, J.)