

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

ANTICIPATORY BAIL APPLICATION NO. 579 OF 2025

1. Vallabhbhai Vashrambhai Italia
 2. Rajesh K. Shah
- ...Applicants

V/s.

The State of Maharashtra and Anr. ...Respondents

Mr. Anil Patel, Advocate for the Applicant.

Ms. R. D. Humane, APP for the Respondent/State.

Mr. Ashwin Thood a/w Mr. Ayush Singh, Advocate for the Respondent No.2.

CORAM : N.R. BORKAR, J.
DATE : 29.09.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicants are apprehending their arrest in Crime No. 73 of 2025 registered at MHB Colony Police Station, for the offences punishable under Sections 316(2), 318(4) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The applicants are builders. The first informant had booked the flat in their project. According to the first informant, the applicants had neither handed over possession of the flat as promised nor returned his amount, which he had paid towards consideration.

4. Learned counsel for the applicants and learned counsel for the first informant jointly submit that the parties have amicably settled their dispute. The consent terms tendered by the learned counsel for the parties to that effect are taken on record and marked as "X" for the purpose of identification. The consent terms are signed by the parties and their respective advocates. In view of the consent terms, the following order is passed :

ORDER

- a) The Application is allowed.
- b) In the event of arrest of the applicants in connection with Crime No. 73 of 2025 registered at MHB Colony Police Station for the offences punishable under Sections 316(2), 318(4) & 3(5) of the Bharatiya Nyaya Sanhita, 2023, they be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.
- c) Liberty is granted to the first informant to file an application for cancellation of the anticipatory bail if the applicants commit the breach of the consent terms.

[N.R.BORKAR, J.]