

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.832/2025

Pandurang Pundalik Gharat ...Applicant
Vs
The State Of Maharashtra ...Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.833/2025

Amar kesarinath mhatre ...Applicant
Vs
The state of maharashtra ...Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.834/2025

Siddhesh Navnath Grarat And Anr ...Applicants
Vs
The State Of Maharashtra ...Respondent

AMOL
DILIPRAO
NAWALE

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AMOL DILIPRAO
NAWALE
Date: 2025.04.02
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Adv. Rahul Arote for the Applicants.
Adv. Supriya Kak, APP for the Respondent State.
Adv. H. P. Bavkar for the intervenor in ABA832/2025 & ABA/834/2025.
Santosh P, API Ulwa Police Station present.

CORAM : RAJESH S. PATIL, J.

DATED : 1 APRIL 2025

PC.:

1. These anticipatory bail applications are for pre-arrest bail in connection with C.R. No.0191/2024 registered with Nhava Shiva Police Station for the offences punishable under Section 420, 406, 120-B, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

1. The learned Advocate for the parties has tendered affidavit-cum-

undertaking dated 31 March 2025. He submits that the affidavit-cum-undertaking has been signed by four applicants. The said undertaking is taken on record and marked as "X" for identification. All statements made in undertakings are accepted as undertaking to this Court. All undertakings are also accepted.

2. For ease of reference, the said affidavit cum undertaking is scanned and reproduced hereinbelow :

ceram: Shri Rajesh S. Patil X
Date: 01/04/25 For Reg. (J)
R.P. Patil
11/4/2025.
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01/04 (A)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN ITS CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 732 OF 2025
(For Anticipatory Bail)
Dist :Raigad

MR. PANDURANG PUNDALIK GHARAT ..APPLICANT
V/s
THE STATE OF MAHARASHTRA ..RESPONDENT

AFFIDAVIT CUM UNDERTAKING

I, Mr. Pandurang Pundalik Gharat, Aged- 77 Years, R/o-, House No. 977, Gavhan Gaon, At/Post Gavhan, Tal- Panvel, Dist- Raigad, Applicant above named do hereby state on solemn affirmation as under;

1. I say that I have filed present Application seeking Anticipatory Bail along with other co-accused 1. Siddhesh Navnath Gharat, 2. Santosh Savlaram Bhagat and 3. Amar Kesarinath Mhatre in CR No. C.R No.191 of 2024 registered with Nhava Sheva Police Station for offences under Section 420, 406, 120-B, 504, 506 and 34 of IPC.






2. I say that at the time of registration of offence parties have agreed to settle the dispute and whereby I agreed to pay to complainant sum of Rs. 1,75,00,000/- towards full and final settlement.

3. I say that I have sum of Rs. 58,00,000/- lying in Bank Account No. 002011300002526 maintained with GP PARSIK SAHAKARI BANK LTD, Belapur Branch, Navi Mumbai.

4. I say that I have deposited sum of Rs. 20,00,000/- in this Hon'ble Court on 29.03.2025, vide DD No. 000551 as per direction of this Hon'ble Court vide order dated 26.03.2025.

5. I say that balance 97,00,000/-, I undertake to pay in following equal installments;

i. 10th May 2025- Rs. 15 Lakhs



- ii. 10th June 2025-Rs. 15 Lakhs
- iii. 10th July 2025-Rs. 15 Lakhs
- iv. 10th Aug 2025-Rs. 15 Lakhs
- v. 10th Sept 2025-Rs. 15 Lakhs
- vi. 10th Oct 2025-Rs. 15 Lakhs
- vii. 10th Nov 2025-Rs. 7 Lakhs

6. I say that I am owner of Plot No. 380, Sector 17, admeasuring about 650 meters, at Ulve Node and same is up for sale and if this plot is sold, I undertake that I will appropriate sale proceeds of the said plot for paying the balance agreed amount to complainant even before schedule of payment as agreed.

7. I say that present terms of settlement of arrived at after consulting remaining 3 accused as mentioned hereinabove and they have consented for the same and signed present undertaking along with me.

8. I say that whatever stated in the foregoing paragraphs are true and I have executed present undertaking out of my free will and without any threat or coercion.

Solemnly affirmed at Navi Mumbai

Dated this day of March, 2025

Deponent

1. Siddhesh Navnath Gharat

2. Santosh Savlaram Bhagat

3. Amar Kesarinath Mhatre



BEFORE ME

KISHOR K. PATIL
Advocate & Notary
GOVT. OF INDIA
H. No. 275, Murbi Village, Sector-19,
Kharghar, Navi Mumbai, Taluka Panvel
Distt. Raigad-410210, Maharashtra
Mob. 9619112155 / 8369185108
Reg. No. 15921

Noted & Registered at

Serial No 145/2025

31 MAR 2025

3. This Court is not a forum to settle the financial dispute between the parties. By the consent of both counsels, as they have themselves stated that the matter has been settled between them. Following is recorded at their instance.

4. The dispute between the parties has been settled, with the informant accepting a sum of Rs.1,75,00,000/- from the applicants. The informant had previously paid a sum of Rs.95,00,000/- by cheque to the applicant-Pandrung Pundalik Gharat, and an additional sum of Rs.31,00,000/- in cash.

5. To demonstrate their bona fides, the applicants have deposited a sum of Rs.20,00,000/- with this Court. Additionally, the applicants have agreed to pay a sum of Rs.58,00,000/- to the informant from the amount of Rs.58,60,000/- currently lying in GP Parsik Sahakari Bank Limited. The remaining amount will be paid to the informant in installments, as detailed in the undertaking in paragraph No.5.

6. Furthermore, the applicants submit that if, for any reason, Plot No.380, admeasuring 650 square meters at Ulve Node, is not sold, they will arrange to pay the outstanding balance from other sources. If they are able to sell the plot promptly, they will immediately clear the remaining outstanding amount to the informant as stated in the undertaking.

7. In view of the same, the present anticipatory bail applications stands allowed with the following conditions :

ORDER

- (a) The anticipatory bail application is allowed
- (b) In the event of arrest of the Applicants C.R. No.0191/2024 registered with Nhava Shiva Police Station for the offences punishable under Section 420, 406, 120-B, 504, 506 read with Section 34 of the Indian Penal Code, 1860. The Applicants shall be released on bail furnishing P.R. bond to the extent of Rs.30,000/- 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 3 April, 4 April 2025, 10 April 2025 and 11 April 2025 between 11.00 a.m to 1.00 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.

(g) The informant is permitted to withdraw a sum of Rs.20,00,000/- in this Court along with accrued interest.

(h) The applicant-Pandurang Pundalik Gharat, is permitted to transfer a sum of Rs.58,00,000/- from his Account No.002011300002526, maintained with GP Parsik Sahakari Bank Ltd., Belapur Branch, Navi Mumbai. For this purpose, **the police authority shall defreeze** the said account of the applicant-Pandurang Pundalik Gharat, for the limited purpose of enabling him to transfer the sum of Rs.58,00,000/- to the informant's account. The investigating officer shall provide the necessary assistance to both the applicants and the informant for this purpose.

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

9. All parties to act on authenticated copy of this order.

(RAJESH S. PATIL, J.)