

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

ANTICIPATORY BAIL APPLICATION NO. 1174 OF 2025

Hashim E Kadar

...Applicant

V/s.

The State of Maharashtra and Anr.

...Respondents

Adv. Ricky Chopra a/w Adv. Akshay Dande i/b Expert Jurist LLP,
Advocate for the Applicant.

Mr. B. V. Holambe, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 10.09.2025.

P.C. :

1. This application is filed in view of the liberty granted by the Hon'ble Supreme Court by order dated 15.04.2025 in Petition for Special Leave to Appeal (Criminal) No. 5210 of 2025. The order passed by the Hon'ble Supreme Court reads thus:

Heard learned counsel for the petitioner.

An undertaking was given by the wife of the petitioner on behalf of the petitioner that he will deposit an amount of Rs.42,50,000/- and upon this undertaking, petitioner has been granted bail by the Trial Court and he also deposited an amount of Rs.5,00,000/-. Now, under the order impugned, it

is alleged that he has not deposited the balance amount of Rs.37,50,000/-, therefore, an order has been passed by the Court concerned for cancelling his bail.

Learned counsel for the petitioner says that he is ready to pay the entire amount and at least a substantial part of this provided he is given time. We are not inclined to accede to this plea since the undertaking given to the High Court, on the strength of which he was released on bail, is flouted. However, we give liberty to the petitioner to appear before the Court concerned within a period of two weeks from today and make this plea there.

The present petition shall stand dismissed with the above reservation, leaving it to the High Court to decide on the terms.

Pending application(s), if any, shall also stand disposed of.

2. The learned counsel for the applicant submits that the dispute between the parties is of civil nature. On a specific query whether the applicant is willing to pay the entire amount of Rs. 37,50,000/- or substantial part of it, as per the statement made before the Hon'ble Supreme Court, the learned counsel for the

applicant submits that the applicant is not willing to pay either the entire amount or substantial part of it.

3. In that view of the matter, I am not inclined to entertain the present application. The application is rejected.

[N.R.BORKAR, J.]