

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3391 OF 2024

Kundan Eknath Mhatre Applicant

VERSUS

The State of Maharashtra & Anr. Respondents

ALONGWITH

INTERIM APPLICATION NO. 414 OF 2025

IN

ANTICIPATORY BAIL APPLICATION NO. 3391 OF 2024

Mahesh Gorakhnath Sable & Ors. Interveners

IN THE MATTER BETWEEN

Kundan Eknath Mhatre Applicant

VERSUS

The State of Maharashtra & Anr. Respondents

Mr. Karan Mehta a/w. Mr. Shubham Kadam, Ms. Kiran Jadhav,
Mr. Nishant Shah, Mr. Ashwin Pande i/b. Mr. Randhir Kale for the
Applicant.

Mr. Anand S. Shalgaonkar, A.P.P. for the State.

Mr. Gauresh Khandalekar for the Applicant in IA/414/2025.

Mr. P. D. Daiwe, PSI, Vishnunagar Police Station, Dombivali,
Thane present.

CORAM : RAJESH S. PATIL, J.

DATE : 29th JANUARY, 2025

P.C. :-

1. Mr. Mehta, learned counsel appearing on behalf of the applicant submits that his client has not complied with the directions given by this Court on 13th December, 2024.

2. For ease of reference, the order dated 13th December, 2024 is reproduced hereinbelow :-

The learned Counsel for the applicant submits that the applicant has duly complied with the notice issued to him under Section 41-A of CrPC and had appeared before the investigating officer on 6 June 2024. The transaction impugned in the FIR is of the year 2014. There is no justification for filing the present FIR at such a belated stage. To show his *bona fides*, the applicant is ready to deposit Rs.50,00,000/- towards total amount alleged as recoverable.

2. Leave to implead the first informant as party respondent to this application. Amendment to be carried out forthwith.

3. In the meanwhile, the applicant to show his *bonafides*, shall deposit an amount of Rs.50,00,000/- with the Registry of this Court within four weeks.

4. The learned APP seeks an accommodation as the

investigating officer is not present and assures the Court that the applicant will not be arrested till the next date.

5. Stand over to 17 January 2025.

3. Mr. Mehta submits that though his client has not deposited an amount of Rs.50 lacs as mentioned in the order dated 13th December, 2024, but this Court should hear the applicant on merit.

4. Since the applicant has not complied with the directions given by this Court, neither today on instructions, before me the applicant is ready to deposit the amount mentioned in the order, **anticipatory bail application is rejected.**

5. In view of the disposal of the anticipatory bail application, **interim application is also disposed off.**

[RAJESH S. PATIL, J.]