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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1296 OF 2025
IN
CRIMINAL BAIL APPLICATION NO. 1220 OF 2019

Vijay Vasudev Gurav

.....Applicant

Vs.

The State of Maharashtra
and anr

.....Respondents

Mr. Abhishek Pandey i/b Mr. Noman Jafri for the applicant
Mr. Amit Nikam a/w Mr. Kaustubh Raut i/b Mr. Uday Jaguste for
respondent no. 3
Mr. K. C. Shinde APP for the State

CORAM : GAURI GODSE, J.

DATE : 29th JULY 2025

ORDER:

1. This application is for recalling the order dated 5th February 2024 cancelling the bail order in favour of the applicant. The applicant was granted bail on 2nd March 2021 by this Court. While granting bail, the applicant's undertaking was accepted. The applicant had filed an undertaking in this Court that he would deposit an amount of Rs. 8,35,000/- as per the schedule

mentioned in the undertaking. The undertaking was not complied with. Hence, this Court vide order dated 5th February 2024, cancelled the bail granted to the applicant.

2. By order dated 21st July 2025 passed in this application, the applicant's statement was recorded that the amount was ready and he would deposit the same in this Court, if permitted by this Court. Accordingly, the applicant was permitted to deposit the amount in this Court. Learned counsel for the applicant submits that within the time granted by order dated 21st July 2025, the amount is deposited in this Court. He, therefore, submits that the undertaking as recorded in order dated 2nd March 2021 is complied with. He, therefore, submits that the applicant be released on bail.

3. Learned counsel appearing for respondent no. 3(informant) submits that while granting bail, this Court by order dated 2nd March 2021 had permitted the investors to withdraw their respective amounts as mentioned in paragraph 4 of the affidavit-cum-undertaking filed by the applicant.

4. Learned counsels for the respective parties have tendered a

joint pursis dated 29th July 2025 stating the respective amounts due to the investors named in the order dated 2nd March 2021. The joint pursis is taken on record and marked 'X' with today's date for identification.

5. The bail granted to the applicant was cancelled only on the ground that the applicant had not complied with the undertaking given to this Court. However, the applicant has now complied with the undertaking and the entire amount is deposited. The applicant has given explanation in the present application to justify the inability to comply with the undertaking given to this Court. Considering the reasons stated in the application and the compliance now made by the applicant, I see no reason to continue to detain the applicant. There is no dispute that the other conditions imposed while granting bail on 2nd March 2021 are complied with.

6. The application is therefore, allowed by passing the following order.

ORDER

I. In view of the deposit of the amount in this

Court by the applicant, the undertaking given to this Court as recorded in order dated 2nd March 2021 in Criminal Bail Application No. 1220 of 2019 stands complied with.

II. The order dated 5th February 2024 in Interim Application No. 4065 of 2022 is recalled.

III. The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.

IV. The applicant shall attend the concerned police station as and when called.

V. The applicant shall regularly attend all the dates in the Trial Court unless exempted by the trial court by passing a written order.

VI. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses, or any person concerned with the case.

VII. The applicant shall submit particulars of the place

of residence and contact number in the Trial Court, and the same shall not be changed without the leave of the Trial Court.

VIII. If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

IX. As directed in clause V of order dated 2nd March 2021, Sachin Walve, Hemant Shivalkar, Raksha Shinde and Sanjeev Jagushte are permitted to withdraw their respective amounts as mentioned in the joint pursis tendered today on showing proof of their identify.

7. It is clarified that the observations made in this order are for the purpose of deciding this application and the same shall not influence the trial court at the time of trial.

[GAURI GODSE, J.]