

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

BAIL APPLICATION NO.1524 OF 2026

Mithesh Bharat Shah

.... Applicant

Vs.

The State of Maharashtra & Anr.

.... Respondents

Mr. Mithilesh Mishra i/b Dharmendra Patel for the Applicant.

Mr. S. V. Walve, APP for Respondent No.1-State.

Mr. Pradeep Dube for Respondent No.2-Intervenor.

Mr. Manish Ashok Sharma - Respondent No.2 present.

Mr. R. G. Gujar, PSI, Malad police station present.

CORAM : SHYAM C. CHANDAK, J.

DATED : 17th JUNE, 2026

P.C. :-

1) Present Application seeking release of the Applicant on bail in C.R. No.514 of 2025 registered with Malad police station for the offence under Sections 3(5), 314, 318(1), 318(4), 319(2), 61(2), 336(2) of the Bharatiya Nyaya Sanhita, 2023.

2) Heard Mr.Mishra, learned Counsel for the Applicant and Mr.Walve, learned APP for the Respondent-State.

3) After sufficient deliberation, the Informant/Intervenor - Mr.Manish Sharma and the Applicant, through his brother-in-law - Mr.Kunal Jain have arrived at an amicable settlement. They have tendered the Undertaking-cum-Consent Terms of the settlement, which are signed by Mr.Kunal Jain, Mr.Manish Sharma and their respective Advocate. The Undertaking-cum-Consent Terms are taken on record and marked "X".

4) Mr.Mishra, learned Counsel for the Applicant submitted that the Applicant will pay the settlement amount as stated in paragraph 3 of the

Consent Terms. On the payment of settlement amount, neither party shall have any surviving claim, demand, dispute or objection against the other arising from the subject transactions and the disputes between the parties shall stand fully and finally resolved. The settlement amount shall be paid in the following manner :-

- (a) A sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) on or before 15/07/2026.
- (b) A sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) on or before 15/08/2026.
- (c) A sum of Rs.1,20,00,000/- (Rupees One Crore Twenty Lakhs only) on or before 15/12/2026.
- (d) A sum of Rs.1,23,22,269/- (Rupees One Crore Twenty Three Lakhs Twenty Two Thousand Two Hundred and Sixty Nine only) on or before 15/06/2027.

5) Mr.Manish Sharma is present before this Court. Through his Advocate Mr.Dube, he states that, in view of the settlement, he has no objection to release the Applicant on bail.

6) In wake of the above, the Applicant is entitled for bail. Hence, the following Order is passed :-

- (i) The Applicant-Mitesh Bharat Shah shall be released on bail in connection with C.R. No.514 of 2025 registered with Malad police station for the offence under Sections 3(5), 314, 318(1), 318(4), 319(2), 61(2), 336(2) of the Bharatiya Nyaya Sanhita, 2023, on his furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.
- (ii) The Applicant shall mark his attendance at Malad police station on the 1st day of each calendar month between 12.00 noon to

4.00 pm, till further orders.

- (iii) The Applicant shall regularly attend the proceedings before the jurisdictional Court unless exempted by the said Court, for the reasons to be recorded in writing.
 - (iv) The Applicant shall not tamper with the prosecution evidence and shall not directly or indirectly influence upon the prosecution witness/es to prevent them from deposing against him.
 - (v) On being released from jail, the Applicant shall furnish his contact number and residential address to the Investigation Officer and shall keep him updated, in case there is any change.
 - (vi) By way of abundant caution, it is clarified that the observations made hereinabove are confined for the purpose of determination to the entitlement for bail and they may not be construed as an expression of opinion on the guilt or otherwise of the Applicant and the trial Court shall not be influenced by any of the observations made hereinabove.
- 7) The aforesaid Undertaking-cum-Consent Terms shall be part and parcel of this Order.
- 8) Mr. Mishra, learned Counsel for the Applicant states that after his release from jail, the Applicant will attend before this Court on 22nd June, 2026 and will sign the aforesaid Undertaking-cum-Consent Terms accepting the same as it is.
- 9) At this stage, as requested by the learned Counsel Mr. Mishra, for the Applicant, the Applicant is granted two weeks time to furnish surety. Till

then, the Applicant be released on bail on his executing a P.R. Bond in the sum of Rs.50,000/- and depositing a sum of Rs.50,000/- in lieu of furnishing the surety bond.

At the end of said period of two weeks, the Applicant shall furnish surety. On furnishing such surety/ies, the amount of Rs.50,000/- deposited by the Applicant shall be returned.

- 10) Application stands disposed of in the aforesaid terms.
- 11) For compliance, stand over to **22nd June, 2026.**

(SHYAM C. CHANDAK, J.)