

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3456 OF 2025**

Aman Balwant Patel and others	...	Applicants
vs.		
The State of Maharashtra and another	...	Respondents

Ms. Sabiha Ansari a/w. Ms. Pooja Khandekar, i/b. Hulyalkar & Associates
for applicants.

Ms. Rutuja A. Ambekar, APP for respondent No.1-State.

Mr. Rohit Shetty (through video-conferencing) for respondent No.2.

CORAM : MANISH PITALE, J

DATE : 19th DECEMBER, 2025

P.C. :

. This is the second anticipatory bail application on behalf of the applicants before this Court.

2. The earlier anticipatory bail application bearing No.1986 of 2024 was dismissed on 24.07.2024, after granting extensive hearing to the applicants. It was found that a *prima facie* case with regard to the offences registered against the applicants, was made out and therefore, the application was rejected.

3. This anticipatory bail application is being pressed primarily on the ground that the first informant has now agreed to settle the dispute with the applicants. It is brought to the notice of this Court that in Special Civil Suit No.132 of 2024 filed by the first informant against the applicants for declaration in respect of the subject sale deeds, a compromise *pursis* has been filed, whereby the parties have agreed to settle their disputes and to jointly pray for cancellation of the subject sale deeds.

4. It is further brought to the notice of this Court that a writ petition for quashing of FIR, was filed on behalf of the petitioners bearing Writ Petition No.3841 of 2024. A Division Bench of this Court (Coram: A. S. Gadkari and Rajesh S. Patil, JJ), on 22.07.2025, dismissed the writ petition, primarily on the ground that such prayer for quashing of FIR and chargesheet, only for few of the accused persons, could be not be permitted. However, the statutory right of the applicants to apply for discharge before the Trial Court, was reserved.

5. The learned counsel for the applicants submits that they have applied for discharge before the concerned Trial Court. But, hearing of the said application is pending, as the concerned Court expects the applicants to remain present for pursuing the said application. It is submitted that in these circumstances and considering the subsequent events, this Court may allow the present application, so that the applicants can appear before the concerned Trial Court for pressing their application for discharge.

6. It is brought to the notice of this Court that respondent No.2 (first informant) has appeared through counsel by video-conferencing. Mr. Shetty, learned counsel has instructions to appear for the said respondent and he has joined the proceedings through video-conferencing.

7. The learned APP submits that upon completion of investigation, voluminous chargesheet has been filed and in such circumstances, unless the first informant physically comes before this Court and is duly identified, it may not be appropriate to allow the

application, only on a statement made on behalf of the applicants. There is substance in the contention raised by the learned APP.

8. In view of the above, issue notice in this application, returnable on 06.01.2026. Ms. Ambekar, the learned APP waives notice on behalf of the respondent No.1-State. Mr. Shetty waives notice on behalf of respondent No.2.

9. In the event the first informant appears before this Court on a prior date, liberty is reserved for the applicants to mention and if necessary, move the Vacation Court.

(MANISH PITALE, J.)

Priya Kambli