



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 788 OF 2026
IN
ANTICIPATORY BAIL APPLICATION NO. 73 OF 2026

Jairaj Baburao Patil

VERSUS

The State Of Maharashtra And Others

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WITH

ANTICIPATORY BAIL APPLICATION NO. 73 OF 2026

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- Mr. P. D. Suryawanshi, Advocate for the Applicant / Original Complainant
- Mr. R. K. Ingole, APP for Respondent No.1 – State
- Mr. N. D. Sonawane, Advocate for Respondent Nos.2 and 3 – Original Accused / Applicants in ABA No.73 of 2026

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CORAM : MEHROZ K. PATHAN, J.

DATED : 05.05.2026

PER COURT :

1. The present application is filed by the applicant/original complainant seeking permission to assist the prosecution and also for withdrawal of the amount of Rs.25,00,000/- deposited by respondent Nos.2 and 3 before this Court pursuant to the interim order dated 16.01.2026 passed in Anticipatory Bail Application No.73 of 2026.
2. Since learned counsel for the applicants in Anticipatory Bail Application No.73 of 2026, Mr. N. D. Sonawane, submits that four

complaints under Section 138 of the Negotiable Instruments Act, 1881 have been filed by the complainant in respect of dishonour of four cheques allegedly issued by the applicants by way of security, and further submits that efforts are being made by the applicants to repay the amount due to the complainant, including an endeavour to pay an additional amount of Rs.20,00,000/- by August, 2026, this Court has considered the said submissions.

3. Be that as it may, since the liability to pay the amount deposited before this Court is not disputed by the applicants, I do not find any impediment in permitting the applicant/original complainant in Criminal Application No.788 of 2026 to withdraw the entire amount of Rs.25,00,000/- along with accrued interest thereon, subject to the condition that the complainant shall withdraw one of the complaints filed under Section 138 of the Negotiable Instruments Act, 1881 pertaining to dishonour of the cheque allegedly issued by the applicants. Hence, I am inclined to pass the following order :-

ORDER

- A) Criminal Application No.788 of 2026 is allowed.
- B) The applicant/original complainant – Jairaj Baburao Patil, is permitted to withdraw the amount of Rs.25,00,000/- (Rupees Twenty Five Lakhs only), along with accrued interest thereon, if any.

C) The Registry shall take appropriate steps for disbursement of the aforesaid amount in favour of the applicant/original complainant – Jairaj Baburao Patil, upon the applicant filing an undertaking before this Court that he shall withdraw one complaint filed under Section 138 of the Negotiable Instruments Act, 1881, namely S.C.C. No.2704 of 2026, within a period of fifteen (15) days from the date of withdrawal of the said amount, by filing appropriate pursis/application before the concerned Court.

4. The present Criminal Application stands disposed of accordingly.
5. Insofar as Anticipatory Bail Application No. 73 of 2026 is concerned, stand over to 16.06.2026.
6. Interim relief granted earlier shall continue till the next date.

(MEHROZ K. PATHAN, J.)