

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.184 OF 2015

Shashank Dinkarrao Deshpande ...Applicant
vs.
State of Maharashtra ...Respondent

Mr. H.E. Palwe i/b. Mr. Sandesh Deshpande,
learned Advocate for the Applicant.
Mrs. G.P. Mulekar, APP for the State.

CORAM : P.D. KODE, J.

DATE : FEBRUARY 11, 2015

P.C.

. Heard.

2. The learned counsel for the applicant has submitted that instead of pressing an application for pre arrest bail, he is making limited request of granting him time to surrender before the trial/remand Court upto 23-02-2015 in view of the marriage of his son scheduled on 21-02-2015 and pray for bail and in the meanwhile protecting him

on the conditions deemed fit and proper by this Court and giving appropriate direction to the learned Magistrate to decide the application for bail at the earliest on its own merits and uninfluenced by the fact of withdrawal of this application.

3. The learned counsel for the applicant submitted that it is the contention of the applicant that unnecessarily for negligent act occurred at his hand of returning a cheque, a inference is tried to be drawn on himself being involved in conspiracy of fraudulently diverting money of Railway Board in the accounts of M/s. Asbha Consultancy Private Limited. It is submitted that protection deserves to be granted till the merits of the matter are determined by the trial/remand Court as 35 years of the service of the applicant are at stake during the remaining 6 months of his service.

4. Request being made for surrendering before the Court of Law which would facilitate earlier completion of investigation of crime in question, request deserves consideration.

5. As informed the applicant to surrender before the remand/trial on or before 23-02-2015 by 11.00 a.m. In the meanwhile, the applicant to stay at the address mentioned in the application and to attend the investigating officer on 12th, 16th and 18th February, 2015 in between 11.00 am to 2.00 pm. and not to misuse the protection granted by this order for fleeing away or for any other oblique purpose.

6. In the said premises, the investigating officer of C.R. No. 01 of 2015 of Kopar-khairne police station, Navi Mumbai registered for the offences punishable under sections 420, 465, 468 and 471 read with 34 of Indian Penal Code not to

take coercive steps of arrest against the applicant upto 23-02-2015 by 11.00 a.m.

7. The trial Court to decide the application for bail if preferred by the applicant after his surrender on its own merits in accordance with law and uninfluenced by the fact of withdrawal of application for pre arrest bail at the earliest preferably on the same day subject to 24 hours advance copy of the same being served upon the other side stipulating the date and time of the arrest and the applicant adhering to it.

Application stands disposed of.

(P.D. KODE, J.)