

Anand

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

ANTICIPATORY BAIL APPLICATION NO.217 OF 2015

Prem Bakshi .Applicant

v/s.

The State of Maharashtra .Respondent

Mr.H.S.Venegaonkar i/b. Mr.K.M.Thakur, Advocate,
for the Applicant

Mrs.P.P.Shinde, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 28.08.2015

P.C.

. Heard learned counsel for the applicant
and the learned APP for the respondent – State.

2. By this application, the applicant
seeks pre-arrest bail in connection with C.R.No.
777 of 2014 registered with the D.N.Nagar Police
Station, Mumbai, for the alleged offence
punishable under Section 420 r/w.34 of the
Indian Penal Code, 1870.

3. The applicant was conducting coaching classes for MPSC & UPSC examination. It is alleged by the complainant that the applicant had taken a sum of Rs.60,000/- from the complainant as well as from other students. However, the classes did not commence.

4. Learned counsel for the applicant states that the applicant and seven students including the complainant have settled the dispute amicably. He further states that the applicant has refunded 60% of the fees taken from the said classes from seven students and the balance 40% has been adjusted towards coaching classes, which the applicant has already commenced.

5. Learned APP on the instructions of the investigating officer, who is present in Court states that the statements of the seven students

including the complainant have been recorded by the investigating officer and does not dispute the aforesaid.

6. In view of what is stated above, the Application is allowed and the applicant is granted anticipatory bail on the following terms & conditions:

ORDER

(i) In the event of arrest, the applicant be enlarged on bail on his furnishing P.R.Bond in the sum of Rs.10,000/- with one or two solvent sureties in the like amount;

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear, that the observations made herein are confined to this application and the learned Judge to decide the case on its own

merits, uninfluenced by the observations made herein.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)