

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1257 OF 2015**

Mahesh Puri @ Kalupuri	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

Mr. Harinath R. Sharma for the Applicant

Mr. S. H. Yadav, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 1st SEPTEMBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. I-172 of 2015 registered with the Jogeshwari Police Station, Mumbai, for the alleged offences punishable under Sections 420, 406 r/w 34 of the Indian Penal Code, 1870.

3. Learned Counsel for the applicant states that the dispute between the complainant and the applicant pertains to a commercial

transaction. He submitted that the applicant along with his partner had purchased garments worth Rs. 3,34,884/- from the complainant on credit of 60 days in the year 2014; and as the applicant and his partner refused to pay the amount, the aforesaid complaint came to be lodged.

4. The learned Counsel for the applicant states that a sum of Rs. 2,95,000/- has been recovered from the co-accused and that the applicant is ready to deposit Rs. 44,000/- in this Court. In view of the statement made by the learned Counsel for the applicant and considering the nature of transaction, the applicant is granted interim protection on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall attend the concerned Police Station as and when required;
- (iii) The applicant shall cooperate with the investigating agency and shall not tamper or attempt to

influence the witnesses or any person concerned with the case.

5. The said amount of Rs. 44,000/- shall be deposited in the Registry of this Court within two weeks from today.

6. In the meantime, the applicant shall implead the complainant as respondent No.2. Amendment to be carried out forthwith.

7. Issue notice to the added respondent No. 2, returnable on 15th September, 2015. In addition to Court notice, learned Counsel for the applicant to serve the respondent No.2 by advocate's notice and file an affidavit of service before the returnable date.

8. Stand over to 15th September, 2015. To be listed high on Board.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.