

Amit Kishanlal Khatuwala	...Applicant
vs.	
State of Maharashtra	...Respondent

DATE : JANUARY 21, 2015

. For the detailed reasons recorded in the order dated 08-01-2015 an ad-interim direction in terms of Section 438 of Code of Criminal Procedure was passed in favour of the applicant primarily after taking into consideration the fact that money paid for the goods was not received by him but was received by one Gobu who had supplied the goods.

2. The say filed by the prosecution does not

discloses the reason other than the said Gobu is absconding and is yet to be traced. Even accepting the fact that the first informant had come across the said Gobu through the applicant and the agent, merely because of the same the pre arrest bail can not be denied to the applicant as there is no material in the papers of investigation showing that the applicant had received any part of the amount paid to said Gobu.

3. Having regard to it and the learned APP having not refuted the statement made by the learned counsel for the applicant that applicant has attended police and cooperated the investigation, the ad-interim direction given on 08-01-2015 is hereby confirmed on earlier terms and conditions.

4. However now the applicant shall attend the investigating officer on every Monday and so also

on every other day for which he would be summoned by the investigating officer.

Application stands disposed of.

(P.D. KODE, J.)