

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application [ABA] No.512 of 2015

(Vicky s/o Krishnachandra Ahuja and another

vs.

State of Maharashtra, through P.S.O. Nandgaon Peth, District Amravati)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. A.M. Jaltare, Advocate for the Applicants.

Mr. A.D. Sonak, A.P.P. for the Non-Applicant/State.

CORAM : V.M. DESHPANDE, J.

DATE : OCTOBER 20, 2015.

By the present application, the applicants are seeking anticipatory bail since they are apprehending their arrest in connection with Crime No.86/2015, registered with Police Station Nandgaon Peth, District Amravati for the offences punishable under Section 420 read with Section 34 of the Indian Penal Code.

The F.I.R. is lodged on 10/06/2015 by the complainant Lakhan Shirwani. According to the F.I.R., the present applicants, who are brothers, purchased the clothes from the complainant worth Rs.4,41,373/- and in discharge of their liabilities, certain cheques of Rs.50,000/- were issued in favour of the complainant. Out of these, five cheques were deposited by the complainant in the bank. Further, these cheques were not honoured by the banker.

The learned Counsel for the applicants invited my attention to the notice issued on behalf of the complainant to applicant No.2. It is dated 15/01/2015. From the said, it is crystal clear that it was a statutory notice under the Negotiable Instruments Act.

In that view of the matter, the applicants can be protected by granting anticipatory bail in their favour:

1. The application is allowed.
2. Applicant-Vicky Krishnachandra Ahuja and Ramchandra Krishnachandra Ahuja be released on bail in the event of their arrest in connection with Crime No.86/2015, registered with Police Station Nandgaon Peth, District Amravati for the offences punishable under Sections 420 read with Section 34 of the Indian Penal Code on their executing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two solvent sureties for each in the like amount.
3. The applicants shall attend the Police Station Nandgaon Peth once in a fortnight preferably on second and fourth Saturday in between 02:00 p.m. to 05:00 p.m., till filing of the charge-sheet.
4. With these, the application is disposed of.

JUDGE