

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2788 OF 2016

Shri Kiran S/o Radhakishan Sharma
Age : 35 years, Occu.: Service,
resident of Flat No. 301, B-2,
Meadows Hill Mist, Valley School Road,
Kanchanwadi, Aurangabad,
Dist. : Aurnagabad, Pin : 431 001
Maharashtra

.. Applicant
(Orig. Accused NO.1)

Vs.

The State of Maharashtra
at the instance of Kranti Chowk
Police Station, Aurangabad

.. Respondent

.....

Mr. A.D. Ostwal, Advocate for the applicant
Smt. R.P. Gour, APP for the respondent-State

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CORAM : N.W. SAMBRE, J.
DATED : 08/06/2016

ORAL ORDER :

Heard.

2. The applicant is seeking pre-arrest bail in
Crime no.0446 of 2016 registered at Kranti Chowk
Police Station, Tq. and Dist. Aurangabad for the
offences punishable under section 420, 403, 406,

407, 120-A and 506 of the Indian Penal Code. The incidents took place between 15/1/2014 to 29/4/2016 when the applicant was working as Manager with Tata Finance and was looking after the finance of the tractors.

3. From the record, it appears that there is a dispute in between the agents and the applicant, who have brought cases for purchase of the tractors, as regards distribution of the commission. The FIR depicts that the commission was swallowed by the present applicant instead of distributing it to the respective agents.

4. In my opinion, the allegations as are made in the FIR prima facie deals with the issue as regards distribution of the commission.

5. In that view of the matter, no custodial interrogation of the applicant is necessary. As such, the Application is allowed.

6. In the event of the arrest of the applicant in Crime no.0446 of 2016 registered with Kranti Chowk Police Station, Tq. and Dist. Aurangabad for the offences punishable under section 420, 403, 406, 407, 120-A and 506 of the Indian Penal Code, he be released on bail upon his executing P.R. bond in the sum of Rs.25,000/- (Rs. Twenty Five Thousand) with one surety in the like amount.

7. The applicant shall attend the concerned Police Station between 13th June, 2016 and 16th June, 2016 between 8.00 am. to 12.00 noon and thereafter, as and when called by the Investigating Officer.

8. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-