

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.21 OF 2016

Pravin Ganesh Sakpal ... Applicant

vs.

The State of Maharashtra ... Respondent

Mr. Kuldeep Patil, for the Applicant.

Mr. S.H. Yadav, APP for Respondent – State.

Mr. Shyamrishi Pathak, for the Intervener.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **1st APRIL, 2016**

P.C.:

. Perused the order dated 10th March, 2016. On that day, the learned counsel for the applicant/accused as per the instruction of the applicant had shown a demand draft of Rs. 5 lacs and mentioned that the demand draft will be deposited. However, today it is informed that said demand draft was not deposited.

2. The learned counsel for the applicant/accused submits that on that day the applicant/accused had some health problem and that is why he did not deposit demand draft. It is further submitted that the applicant/accused was suffering from cardiac problem and he is admitted in the Hinduja hospital since last two weeks.

3. The applicant/accused is facing charges for the offences punishable under Sections 406 and 420 of the Indian Penal Code in C.R. No. 653 of 2015 registered with Bhandup police station, Mumbai. The offence is registered at the instance of one Pankaj Choutiwar on 26th October, 2015.

4. It is the case of the prosecution that, the applicant /accused has represented himself that he was interested in purchase of laptops. The complainant was dealing with business of computer and electronic items. Therefore, he supplied 15 laptops of Toshiba make to the applicant and against which the applicant/accused gave 3 cheques total amounting Rs. 11,04,498/-. However, all the cheques were bounced. Thereafter, the complainant found that the applicant/accused has closed his office and he is absconding. Hence, the offence was registered.

5. The learned prosecutor while opposing the application submits that till today no amount is deposited by the applicant.

6. In view of the above and considering the facts of the case

and submissions of both the parties, *prima facie* it appears that the applicant/accused has committed cheating. Therefore, the custodial interrogation of the applicant/accused is required for the effective investigation. Hence, anticipatory bail application stands rejected.

(MRS.MRIDULA BHATKAR, J.)