

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.576 OF 2016

Niranjan Tukaram Chawan

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Ms Sana Mujawar i/b. Mr. Vijay Shinde, for the Applicant.

Mr. Shrikant Yadav, APP for the Respondent -State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 12th APRIL, 2016

PC:-

This is the third application for anticipatory bail, filed by the aforesaid Applicant apprehending his arrest in Crime No.228 of 2015 registered with Panvel City Police Station, for the offences punishable under sections 420, 465, 467, 468 and 471 of the Indian Penal Code.

2. First application for anticipatory bail was dismissed on merits vide order dated 4.1.2016, wherein it was clearly held that there is prima facie material to show that the Applicant had availed loan of Rs.20 lakhs from Shivkripa Sahakari Patpedi Ltd. by submitting forged and fabricated documents. It was further held that there was prima

facie material on record to indicate that the Applicant had availed total loan of Rs.44,00,000/- from two other co-operative societies by submitting forged and fabricated documents and that he had cheated several co-operative societies by adopting same modus operandi.

3. Second application for anticipatory bail was filed by the applicant on the ground that he intended to pay the amount to Shivkripa Sahakari Patpedi Ltd. Said application was dismissed on the ground that mere intention to pay the amount cannot be considered as change in circumstance. The present application is also filed on the ground that the Applicant intends to make the payment to the said Patpedi.

4. Ms Sana Mujawar, the learned counsel for the Applicant has conceded that since dismissal of the previous applications, the Applicant has not made any payment to the concerned Co-operative Credit Society. Under the circumstances the statement of the Applicant that he intends settling the matter by making the payment does not appear to be bonafide. Filing repeated applications on the same ground is nothing but an abuse of process of law. The application has no merits and is therefore, dismissed.

(SMT. ANUJA PRABHUDESSAI,J.)