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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.790 OF 2016

Govind Shankar Jagtap	 Applicant
V/s.	
The State of Maharashtra	 Respondent

Mr. Umesh Mankapure, for the Applicant.
Mr. Deepak Thakare, APP for the Respondent State.

CORAM : A. M. BADAR, J.

DATE : 9th AUGUST, 2016.

P.C. :

1. Respondent No.2 is absent despite service
2. The learned counsel for the applicant prays leave to place of document of Shriram Transport Finance Ltd.
3. Leave granted.
4. The applicant/accused, in M.C.R. No.18 of 2014, for the offence punishable under Sections 420, 467 of the Indian Penal Code, registered at Sangli Police Station, at the instance of complainant Aziz Mulla, by this application is seeking pre-arrest bail.
5. Heard the learned counsel for the applicant. He, by drawing my attention to the documents of Shriram Transport Finance Co.Ltd.,

contended that the entire amount of the loan outstanding against the vehicle purchased by the applicant from the complainant has been paid. This fact is not disputed by the learned APP.

6. Perusal of the F.I.R. shows that complainant Aziz Mulla, has alleged that truck owned by him was purchased by the present applicant for the consideration of Rs.3.95 lacs. Out of that consideration, the applicant was to pay Rs.2,15,237/- in discharge of liability of loan of complainant to Shriram Transport Finance Co.Ltd. According to complainant, the applicant did not pay this amount of loan outstanding against the truck.

7. Now the applicant has placed on record document showing that he has paid entire outstanding amount of loan against truck purchased by him. In this view of the matter, custodial interrogation of the present applicant is not warranted and therefore, the following order.

Order

- I) The application is allowed.
- II) In the event of arrest of the applicant, in above crime, he be released on bail on his executing P.R. Bond in the sum of Rs.5,000/- and on his furnishing surety in the like amount.
- III) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing such facts either to the Court or to any police officer.

- IV) The applicant shall co-operate the Investigating officer, in the investigation of crime.
- V) The applicant shall not tamper with the prosecution evidence in any manner.

[A. M. BADAR, J.]