

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1812 OF 2016

Vishu Goenka @ Vicky Goenka

.....Applicant

V/s.

The State of Maharashtra  
at the instance of Oshiwara  
Police Station.

.....Respondent

\* \* \* \* \*

Mr. K.S. Patil i/by. Mr. S.I. Gaikwad, Advocate for the applicant.

Smt. J.S. Lohokore, APP for the respondent, State.

Investigation Officer, PI Ganame, Oshiwara Police Station present.

**CORAM :- N.W. SAMBRE, J.**

**DATED :- 16<sup>th</sup> NOVEMBER, 2016.**

**P.C. :-**

1). The applicant seeks pre-arrest bail in Crime No. 325 of 2016 for the offences punishable under Sections 406 and 420 Indian Penal Code.

2). Perusal of the FIR and other material depicts that the complainant claims to have been duped by the applicant for an amount of Rs.50,00,000/-. Admittedly, the present applicant has

issued cheques towards repayment of the said amount of Rs.50,00,000/- and proceedings under Section 138 Negotiable Instruments Act are pending against the present applicant.

3). In this background, the claim, as is sought to be put forth particularly as regards the offence punishable under Sections 406, 420 Indian Penal Code is concerned, in my opinion, custodial interrogation is not necessary as the applicant is very much available for investigation and further prosecution, if any.

4). The application as such needs to be allowed. In the event of the arrest of the applicant, the applicant be released on P.R. Bond of Rs.50,000/- (Rs. Fifty Thousand only) with one surety in the like amount.

5). The applicant to attend police station as and when called for.

6). The applicant shall not tamper with the evidence of witnesses in any manner whatsoever.

**(N.W. SAMBRE, J)**