

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1723 OF 2015

Rajesh Jeevraj Thakkar	... Applicant
vs.	
The State of Maharashtra	... Respondent

Mr. A.H.H. Ponda i/b. Mr. A.V. Singh, for the Applicant.
Mrs. Rutuja Ambekar, APP for the State.
Mr. Mangesh Kad (PSI), Thane Nagar police station present.
Mr. M.K. Kocharekar, for Respondent No. 2.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 29th MARCH, 2016

P.C.:

. The application is moved for pre arrest bail as the applicant/accused is facing charges for the offences punishable under Sections 406 and 420 of the Indian Penal Code in C.R. No. I-220 of 2015 registered with Thane Nagar police station, Thane. The offence is registered at the instane of one Ramesh Punamiya on 6th October, 2015.

2. It is the case of the prosecution that both the complainant and the accused had business transaction. The complainant handed

over the amount of Rs. 51,41,200/- to the accused for the purpose of business and though he asked for the same, the accused did not repay the said amount. Hence, the offence is registered.

3. The learned counsel for the applicant/accused submits that till today the applicant/accused has deposited Rs. 36 lacs in this Court and he has to deposit more Rs. 2,21,000/- which he is ready to pay within four months from today.

4. The learned counsel for the complainant is present. He submits that this is acceptable to him but he wants permission to withdraw the amount of Rs. 36 lacs which is deposited in this Court. He further submitted that if the money is repaid, then he has no grievance against the accused and he is ready to quash the first information report.

5. In view of the above, I pass the following order.

(a) The anticipatory bail application is allowed.

(b) The interim protection granted earlier by an order dated 17th November, 2015 is hereby confirmed on the

same terms and conditions.

(c) There is no necessity of attendance to police station.

(d) The complainant is allowed to withdraw the amount of Rs. 36 lacs after proper verification of the documents by the Registry.

6. The anticipatory bail application stands disposed of accordingly.

(MRS.MRIDULA BHATKAR, J.)