

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

ANTICIPATORY BAIL APPLICATION NO. 41 OF 2017

Mr. Akhil Kohli Vs. The State of Maharashtra

**Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.**

Court's or Judge's orders

Mr. A.A. Kumbhakoni, Senior Counsel a/w Ms. Rupali Rajput for applicant.
Mr. M.G. Patil, APP for State.

CORAM : A.S. GADKARI, J.

DATE : 6th April 2017.

P.C.:

- 1] By an Order dated 10th January 2017, the applicant has been granted interim relief.
- 2] The first information report is lodged by the Assistant Engineer, Central Purchase Department, Mumbai Municipal Corporation alleging that for supply of 51 anesthesia machines to the Corporation tenders were called and M/s Universal Organics, Dahisar (W), Mumbai was declared as a successful bidder. That after the said machines were installed at B.M.C. hospitals, it was revealed that those machines were not as per the specification given in the tender and those were not manufactured at England, but are manufactured by some other company and the said machines are of sub-standard quality. The record reveals that the applicant has no direct contract with the Municipal Corporation. That the applicant has supplied the said machines of M/s Universal Organics, Mumbai. It is to be noted here that, the

Directors of M/s Universal Organics namely Mrs. Madhu Rai and Mr. Tanmay Rai have been granted pre-arrest bail by the Sessions Court, Mumbai on 27.1.2017.

3] As stated earlier, the applicant has no direct concern with the Mumbai Municipal Corporation and as the the Directors of M/s Universal Organics namely Mrs. Madhu Rai and Mr. Tanmay Rai have been granted pre-arrest bail by the Sessions Court, Mumbai on 27.1.2017, in my considered view, principle of parity is squarely applies to the applicant.

In view thereof, interim relief granted by an Order dated 10.1.2017 is hereby confirmed.

4] The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)