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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 913 OF 2017

Gangadhar Nanaji Bilawar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Sandeep Dere for the Applicant

Mr. Prashant Jadhav, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
DATE : 14th JUNE, 2017***

P.C.

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 434 of 2015 registered with the Sinhagad Police Station, Pune, for the alleged offences punishable under Section 409 of the Indian Penal Code.
3. Learned Counsel for the applicant submitted that the applicant

has been falsely implicated in the said case, despite the fact that he had resigned from the post of Directorship of the said company i.e. Rekha Group. He further submitted that in September, 2015 itself, he had resigned from the said Company and had informed the company about his resignation on 10th August, 2015 and had also asked the Company to settle his accounts. He submitted that on 1st October, 2015, a legal notice was sent by the applicant's Advocate demanding arrears of Rs. 5 lakhs, pursuant to which, the aforesaid complaint was lodged on 12th October, 2015.

4. Learned APP opposed the application.

5. Perused the papers. It appears that on 1st October, 2015, a legal notice was sent by the applicant's Advocate demanding arrears of Rs. 5 lakhs and the same was received by complainant's Company on 6th October, 2015. The aforesaid complaint has been lodged on 12th October, 2015. Although, there is a statement of one Mehboob stating therein, that he had seen the applicant selling scrap material to the scrap dealer, the said witness has not stated the name of the scarp dealer nor has identified him in the police investigation. It appears that the person to whom the scrap was

allegedly sold has not been investigated.

6. Considering the nature of allegations, the custodial interrogation of the applicant is not necessary. The application is accordingly allowed and the applicant is granted pre-arrest bail on the following terms and conditions :-

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie* and are confined to this application.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.