

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 1276 OF 2016

Rakesh Laxminarayan Vemula

.Applicant

Vs.

The State of Maharashtra & anr.

.Respondents

Mr. P. G. Pandey, Advocate, for the Applicant

Mr. A. A. Palkar, APP, for the Respondent – State

CORAM : A.S.GADKARI, J.

DATE : 11.12.2017

P.C.

. By an order dated 28.07.2016, the Applicant was granted interim relief and was directed to attend the investigating officer on stipulated dates and to attend the investigating officer, to join the process of investigation.

2. Perused the record. It *prima facie* appears that the investigation of the present crime is practically completed and apart from it, investigation of the present crime is based on documents which are already seized by the investigating agency from the Complainant – Company and from the concerned department of Mumbai Municipal Corporation.

3. It is the case of the prosecution that the Applicant was

working as an Octroi agent. That though he did not make any payment to the Octroi department of Mumbai Municipal Corporation, he claimed commission and the amount of Octroi duty from the Complainant – Company namely Store One Retail India Ltd. It is the allegation against the Applicant that by submitting forged and fabricated receipts, the Applicant has caused wrongful loss to the Complainant – Company approximately to the tune of Rs. 11,62,000/-.

4. In view of the above and after taking into consideration the nature of offence in view of this Court, the custodial interrogation of the Applicant for the purpose of further investigation of the present crime is not necessary. The interim relief granted by Order dated 28.07.2016 is hereby confirmed. However, the Applicant is directed to attend the investigating officer as & when called for by the investigating officer between 10.00 a.m. and 1.00 p.m. and to join the process of investigation till submission of charge-sheet/final report.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)