

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

ANTICIPATORY BAIL APPLICATION NO. 466 OF 2018

Mukesh Gupta

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Dr. Sujay Kantawala a/w. Kartik V.G. a/w. Ms. Neha Bhosale and
Disha Pareksh I/b. NDB Law Legal for the Applicant.

Mr. S.R.Agarkar, APP for the Respondent/State.

Ms. Kshitija Saraogi for the Intervenor.

CORAM : ANUJA PRABHUDESSAI,J.

DATED : August 30, 2018.

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid applicant apprehending his arrest in C.R.No. 9 of 2018 for the offences under Section 452, 323, 504, 506 r/w. 34 of IPC.
2. Heard Mr. Kantawalla, the learned Counsel for the applicant and Shri Agarkar, the learned APP for the State. Perused the records.
3. The aforesaid crime was registered pursuant to the FIR lodged by Rajesh M. Gupta, the brother of the applicant. The records prima

facie reveal that there is a dispute between the applicant and his other brother i.e. Satish Gupta. After considering the allegations levelled in the FIR and the other material, this Court by Order dated 9th March, 2018 had granted interim protection to the applicant. The applicant was directed to report to the Investigation Officer of Koregao Police Station as and when called. It is submitted that the applicant has complied with the said conditions. The learned APP has submitted that the charge sheet has already been filed.

4. Considering the above facts and circumstances, so also the nature of allegations, in my considered view, the presence of the applicant is not required for custodial interrogation. Hence the application is allowed on following terms and conditions:-

(i) In the event of arrest of the applicant in Crime No. 9 of 2018 registered with Koregaon Park Police Station, the applicant be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two solvent sureties in the like amount, to the satisfaction of the JMFC, Pune.

(ii) The applicant shall not interfere with the complainant and the other witnesses in any manner.

(iii) The applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Court seized of the matter and to the Investigating Officer.

(iv) The applicant to co-operate with the conduct of the trial.

. Application is allowed in above terms.

(ANUJA PRABHUDESSAI, J.)