

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

ANTICIPATORY BAIL APPLICATION NO.609 OF 2018

Pramod Fulchand Patni	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Pradeep J. Thorat for the Applicant.
Dr. Sujay Kantawala with Mr. Brijesh Pathak for the Intervenor.
Mr. S.R. Agarkar, APP for the Respondent-State.
Mr. V.D. Raut, API Wanwadi Police Station, Pune city, present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 25th OCTOBER, 2018.

P.C.:-

This is an application under Section 438 of the Cr.P.C. filed by the aforesaid Applicant, apprehending his arrest in C.R. No.589 of 2017 registered with Wanwadi Police Station, Pune, for offences punishable under Sections 420 and 120 B of the Indian Penal Code, 1860.

2. Heard Mr. Pradeep Thorat, the learned counsel for the Applicant, Dr. Sujay Kantawala, the learned counsel for the Intervenor and Mr. S.R. Agarkar, the learned APP for the Respondent-State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR filed by Kanvarjitsingh Sehgal, who is a director of Sehgal Auto Riders Pvt. Ltd. Said company is dealers of Maaruti Suzuki India Ltd. The first informant had alleged that the co-accused had offered discounts to the customers, had collected money and had misappropriated the same. The records prima facie reveal that the Applicant was one of the purchasers of Maruti vehicles. The FIR does not prima facie indicate that he had entered into a criminal conspiracy with the other co-accused or that he is involved in misappropriating the money received from other customers. The records do not prima facie show the involvement of the Applicant in the said crime. The nature of the allegations levelled against the Applicant do not justify custodial interrogation.

4. The records reveal that the Applicant was granted interim bail by this Court on 3.4.2018. The learned counsel for the Applicant submits that in compliance of the condition of the interim bail, the Applicant has reported to the investigation officer and that he has been interrogated. He submits that presence of the Applicant is no longer required for the purpose of investigation and interrogation. He further

submits that Applicant is a lawyer by profession and has roots in the society and there are no chances of his absconding or fleeing from justice.

5. Considering the above facts and circumstances, the application is allowed on following terms and conditions:-

- (i) In the event of arrest of the Applicant in C.R. No.589 of 2018 registered with Wanwadi Police Station, Pune, the Applicant shall be released on bail on furnishing bail bonds of Rs.50,000/- with one or two sureties in the like amount.
- (ii) Applicant shall attend the Wanwadi Police Station as and when required and called by the Investigation Officer.

(SMT. ANUJA PRABHUDESSAI, J.)