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

ANTICIPATORY BAIL APPLICATION NO. 882 OF 2017

Hemant Devendra Tibarewal

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr.Subhash Jha a/w. Ms.Sanjana Pardeshi for the Applicant.

Mr.S.S. Hulke, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 2nd FEBRUARY 2018.

P.C.:

1] By an Order dated 17th May, 2017, the applicant was granted interim relief.

2] The prosecution case in brief is that the principle accused Nikhil Agarwal despite accepting goods worth Rs.77,73,449/- from the first informant did not pay the amount and therefore the present crime is registered. The present crime is registered against principle accused Nikhil Agarwal, his Manager Vaibhav Agarwal and the present applicant being the accountant of Nikhil Agarwal.

3] Perused the record of investigation.

The record indicates that, the principle accused Nikhil Agarwal has been arrested by the police, thoroughly interrogated and is now released on bail. Co-accused viz. Vaibhav Agarwal has also been arrested by the police and now is released on regular bail. The police have already seized relevant documents and have effected necessary recovery in the present crime. The role attributed to the present applicant is that he being accountant, of the principal accused Nikhil Agarwal, helped him in commission of the present crime. As noted earlier, the principal accused in the present crime has already been arrested by the police. The record indicates that no recovery is to be effected at the instance of the applicant. In view thereof this Court is of the view that the custodial interrogation of the applicant for further investigation of the present crime is not necessary.

4] Interim relief granted by Order dated 17th May, 2017 is hereby confirmed. However, condition to attend Investigating officer is waived.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)