IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIAPTORY BAIL APPLICATION NO.2313 OF 2018

Tilak Raychand Lodaya Age 51 years,
Occ.Business, R/o.1302, 13
Flr Lavender Colorsca Chsl,
D.D.Upadhyay Marg,Mulund (W),
Mumbai. Applicant
versus
The State of Maharashtra and another Respondents

Mr.Rishi Bhuta with Ujjwal Gandhi I/by Ashish Dubey for applicant.
Mr.S.R.Agarkar, APP, for State.
Mr.Pranit Pardhi, PSI, Vakola Police Station, present.
Mr.Kandarp H. Dholakia, intervenor, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 11th December 2018

PC :

1. This is an application for anticipatory bail in connection with CR No.358 of 2018 registered with Vakola Police Station for offences under Sections 420, 465, 467, 468, 471 of Indian Penal Code. The FIR was lodged by Smt.Minakshi Jain on 21st September 2018. It was alleged that since 2008 and prior there to also, the informant and the applicant were the partners in Capital Road Lines Company and Capital Road Lines (Gujarat) carrying on business of transport. However, some where in 2017 the business had stopped and there was a dispute between the partners. On 3rd July 2018 the complainant received notice from Kotak Mahindra Bank about non payment of loan installment. She was surprised that she had not

taken any loan from the bank. On inquiry, it was revealed that the applicant has availed loan from the said bank by forging signature of first informant and submitting her Pan card and Aadhar card. Accordingly, she noticed that the accused had forged the documents while obtaining loan. Hence, FIR was lodged on 21st September 2018.

2. Learned counsel for applicant submitted that the applicant is not concerned with forgery of documents. The loan was obtained through agent Smt.Shraddha Pardeshi and the documents were forged by her as she was getting commission. It is further submitted that there is no default in the loan obtained by the applicant as he has been regularly paying the installment towards loan. It is further submitted that custodial interrogation of the applicant is not required. He is willing to co-operate with the investigation. The applicant has been implicated in this case on account of dispute with complainant. It is therefore prayed that the applicant may be granted anticipatory bail.

3. Learned APP and learned counsel for intervenor submitted that the applicant is responsible for forgery of the signature of complainant. The statement of Smt.Shraddha Pardeshi was recorded during the course of investigation wherein she has stated that the applicant had obtained loan from eight banks. The details of the banks and the amounts of loan obtained by the applicant were also provided by the said witness. It is also stated that the applicant had forged the signature of the complainant and used said documents while obtaining loan. The contention of the applicant, however, is that the signatures were forged by the said agent.

4. Considering the investigation conducted by police, I do not find any merit in the said submission. The applicant has forged the signatures of complainant while obtaining loan from various banks. In the circumstances, no case for grant of anticipatory bail is made out. The application is accordingly rejected.

(PRAKASH D. NAIK, J.)

MST