

Dond

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

**ANTICIPATORY BAIL APPLICATION NO.2212 OF 2017
WITH
APPP NO. 805 OF 2018**

Prashant Suresh Atri

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Sachin Chandan for applicant in A.B.A. No.2212/2017.

Mr. Amit Palkar, APP for State.

Mr. Sujeet Kurup for applicant/Intervener in APPP No.805 of 2018.

CORAM : A.S.GADKARI, J.

DATE : 28th November 2018.

P.C.:

1] By an Order dated 20th December 2017, the applicant was granted interim relief and was directed to attend the concerned Police Station, to cooperate with the Investigating Agency.

2] Heard the learned counsel for the applicant, the learned counsel for the Intervener and the learned APP for the State. Perused the record.

3] Mr. Chandan, the learned counsel for the applicant submitted that, in pursuance of Order dated 7th March 2018, the applicant has deposited the alleged defalcated amount of rupees one lakh in the Registry of this Court. He produced on record a photo copy of the demand draft to that effect.

4] The allegation against the applicant is that, he after establishing acquaintance with the first informant on a social sight, promised her to marry. That the applicant by taking undue advantage of the situation, induced the first informant to part with an amount of rupees one lakh for his personal benefit. The applicant thereafter resiled from his promise and abused the informant. In the premise the first information report is lodged.

5] The Investigating Agency is seeking custody of the applicant for recovery of the said amount. As noted earlier, the applicant has deposited the said sum of rupees one lakh in the Registry of this Court.

6] In view thereof, interim relief granted by an Order dated 20th December 2017 is hereby confirmed.

However, the applicant is directed to attend the Investigating Officer as and when called for between 10.00 a.m to 1.00 p.m after receipt of notice in writing from the concerned Investigating Officer and to join the process of investigation till submission of final report.

7] Application is allowed in the aforesaid terms.

8] In view of Order passed in A.B.A. No.2212 of 2017, Criminal Application (APPP) No.805 of 2018 does not survive and the same is accordingly disposed off.

(A.S.GADKARI, J.)