

IN THE HIGH COURT OF BOMBAY AT GOA**CRIMINAL APPLICATION (BAIL) NO. 102 OF 2019**

Evencio De Menino Jesus Quadros ... Applicant
Versus
State, Thr. the P.I. attached to
Panaji Police Station & Another ... Respondents

Shri Vijay A. Palekar, Advocate for the Applicant.

Shri Pravin Faldessai, Additional Public Prosecutor for the Respondents.

CORAM:- NUTAN D. SARDESSAI, J.

DATE:- 2nd MAY, 2019.

ORAL ORDER:

Heard Mr. Vijay Palekar, learned Counsel for the applicant.

2. It is contended that although, it has been alleged that the applicant had misappropriated an amount of ₹93,00,000/- or thereabout, a substantial amount i.e. an amount short of ₹4,00,000/- was refunded in favour of the customer concerned, who had done the booking of the vehicles in question. It was contended that it was a case of civil transaction gone wrong and not a criminal case as set out against him. He therefore prayed for the release of the applicant on bail on such terms and conditions as deemed fit.

3. Shri Pravin Faldessai, learned Additional Public Prosecutor on behalf of the State has fairly conceded that the applicant had reported to the Police Station and his statement has been recorded. He therefore submitted that appropriate orders could be passed in the matter.

4. Considering the facts of the case and that a substantial amount of the so called misappropriated amount has been refunded, no purpose would be served by the custodial interrogation of the applicant. Hence, the following order is passed:

ORDER

(a) In the event of arrest, the applicant is ordered to be enlarged on bail on executing a Personal Bond in the amount of ₹20,000/- and on furnishing a local surety in coextensive amount to the satisfaction of the Investigating Officer.

(b) He shall not tamper with the witnesses or otherwise intimidate them.

(c) Besides, the applicant shall report to the Police Station on 03.05.2019 between 10:00 hours to 13:00 hours and thereafter from 07.05.2019 till 12.05.2019 whenever called upon by the Investigating Officer.

5. In these terms, the application stands disposed off.

NUTAN D. SARDESSAI, J.

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