

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

ANTICIPATORY BAIL APPLICATION NO. 176 OF 2019

Sudhir Meera Saukar

.. Applicant

Vs.

The State of Maharashtra

.. Respondent

.....

Mr. Prashant Ahori I/by Mr. Jahangir Iqbal Advocate for the Applicant.

Ms. G.P. Mulekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 21, 2019.

P.C. :

1. This is an application for anticipatory bail in connection with C.R.No.I-03 of 2019, registered with Nagpada Police Station, for the offence punishable under Section 406 read with 34 of Indian Penal Code.

2. The complainant and the applicant are related to each other as cousins. On 6th November, 2017, the informant was admitted to the hospital for treatment. It is alleged that the applicant told the informant that hospital charges are required to be paid. The informant's brother asked him to bring cheque book. The complainant then made inquiries with the applicant and six

cheques were handed over to the applicant. Informant was discharged from the hospital on 18th November, 2017. it is alleged that the bearer cheques were deposited by the applicant and an amount to the tune of rs.79,600/-, was misappropriated by the applicant. The case of the applicant is that the amount was handed over to the complainant after the withdrawal. The last cheque was deposited on 9th January, 2018. It appears that the complaint is lodged with Andheri Police Station, Mumbai in April 2018 and which was transferred to Nagpada Police Station, on 4th January, 2019.

3 The first cheque was deposited on 1st November, 2017. However, no grievance is made by the complainant at initial stage. Considering the nature of dispute, custodial interrogation of the applicant is not necessary.

4 Hence, I pass the following order:

:: ORDER ::

(i) Anticipatory Bail Application No.176 2019, is allowed;

(ii) In the event of arrest of the Applicant in

connection with C.R.No.I-03 of 2019, registered with Nagpada Police Station, on his furnishing P.R. Bond in the sum of Rs.20,000/-, with one or more sureties in the like amount;

- (iii) Applicant is directed to attend Nagpada Police Station on 28th, 29th and 30th January, 2019 between 11:00 a.m. to 01:00 p.m.;
- (iv) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)