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

ANTICIPATORY BAIL APPLICATION NO. 386 OF 2018

Abdul Muqeeet Khan

..Applicant

Vs

The State of Maharashtra

..Respondent

Ms. A. Lalla I/b Anil Lalla I/b Lalla & Lalla for Applicant.

Mr. Amit Palkar, APP for State.

Mr. Ashish Dubey for Intervener.

CORAM : A.S.GADKARI, J.

DATE : 25th March 2019.

P.C.:

1] By an Order dated 1st March 2018, the applicant was granted interim relief.

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

3] The record indicates that, the cheques of Rs.8.00 lakhs and Rs.1,23,000/- issued by the first informant have not been honoured and are returned by the concerned Bank. In view thereof, there is no question of making payments by the applicant of Rs.8.00 lakhs to the first informant. It

appears from the contents of the first information report that the same is exaggerated, least to say having tendency of falsity. It prima facie appears that, the Investigating Officer has not verified the said fact.

4] Mr. Lalla, the learned counsel for the applicant submitted that, photo copies of the said cheques and memos issued by the bank have been given to the Investigating Agency. Shri Lalla produced before this Court for its perusal the original cheques and memos which have been dishonoured.

5] In view thereof, the custodial interrogation of the applicant for further investigation of the present crime is not necessary.

Interim relief granted by Order dated 1st March 2018 is hereby confirmed.

6] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)