

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO. 329 OF 2019  
IN  
ANTICIPATORY BAIL APPLICATION NO. 1783 OF 2015**

|                                 |     |             |
|---------------------------------|-----|-------------|
| Sanjeev Manmohan Gupta          | ... | Applicant   |
| V/s.                            |     |             |
| The State of Maharashtra & Anr. | ... | Respondents |

- Mr.Girish B. Kedia a/w. Manoj Agre for the Applicant.
- Mrs.G.P. Mulekar, APP for the Respondents-State.

**CORAM : PRAKASH D. NAIK, J.**

**DATE : 6<sup>th</sup> MARCH, 2019.**

**P.C. :**

1]           The Applicant was granted anticipatory bail by this Court in connection with C.R. No.I-222 of 2015 registered with Thane City Police Station for the offence punishable under Section 420 read with 34 of the Indian Penal Code.

2]           By order dated 24<sup>th</sup> November, 2015 interim protection was granted to the Applicant with direction that in the event of arrest of the Applicant in the aforesaid FIR, the Applicant shall be released on his furnishing PR Bond of Rs.1 lakh with one or more sureties in the like

amount. The Applicant was also directed to attend the Investigating Officer as and when called for the purpose of investigation. Subsequently, by order dated 29<sup>th</sup> February, 2016 the interim order was confirmed. While confirming the said order, it was observed that it *prima-facie* appears that unless and until some person from the RTO or connected with RTO helps the other person, the registration of the vehicle without verification of the documents is not possible. The FIR was lodged on 8<sup>th</sup> October, 2015 on the complaint by one NGO against the Applicant in ABA No.1783 of 2015. It was further observed that the Complainant did not notice any other car which was registered with RTO Thane and he is grinding axe against the Applicant with some motive.

3] In pursuant to the aforesaid order, the Applicant had furnished surety on 14<sup>th</sup> March, 2017. It is submitted that while furnishing surety bond in accordance with aforesaid order, the title documents relating to the immovable property are deposited in the Court. It is submitted that the trial has not yet commenced, although the charge-sheet is filed. The property remains encumbered on account of furnishing the same while executing the surety bond. It is submitted that the Applicant is permanent resident of Mumbai and he is willing to furnish cash security in the sum of Rs.1 lakh.

4] Learned APP submitted that the charge-sheet is already filed. In the facts and circumstances, there is no impediment in relaxing the condition.

5] Considering the aforesaid circumstances and more particularly considering that the trial has not commenced, the order dated 24<sup>th</sup> November, 2015 and 29<sup>th</sup> November, 2016 with regard to the condition of furnishing P.R. Bond of of Rs.1 lakh with one or two sureties in the like amount can be modified by dispensing the condition and in lieu thereof, the Applicant is allowed to deposit cash security in the sum of Rs.1 lakh. Other conditions shall remain intact.

6] The Application is disposed of.

**[PRAKASH D. NAIK, J.]**