

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 1375 OF 2019

Nitin Chandrakant Ghorpade .Applicant

Vs.

The State of Maharashtra & anr. .Respondents

Mr. Ashish Dubey, Advocate, for the Applicant
Mr. S. V. Gavand, APP, for the Respondents – State

CORAM : REVATI MOHITE DERE, J.

DATE : 27.06.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C. R. No. 199 of 2017 registered with the Andheri Police Station, Mumbai, for the alleged offences punishable under Sections 406, 420 & 506 of the Indian Penal Code.

3. Learned counsel for the Applicant submits that the Applicant is falsely implicated in the said case. He submits that the Complainant had not given any money to the Applicant, but to Mr. Nagesh Shanbag, for securing admission in an Engineering College.

It appears from the complaint lodged by Gauri Pandit, that she paid an amount of Rs. 6,50,000/- to the Applicant, as the Applicant had promised to get the Complainant's son's admission in an Engineering College. As neither admission was provided nor, money was refunded, the aforesaid complaint was lodged. Learned counsel for the Applicant, however, without going into the merits and without admitting his liability and without prejudice to his rights & contentions states that the Applicant is ready to deposit the alleged amount i. e. Rs. 6,50,000/- in the Registry of this Court. He submits that the Applicant will also not make any Application for withdrawal of the said amount. Statement accepted.

4. In view of the aforesaid, without going into the merits, the Application is allowed and the Applicant is granted pre-arrest on the following terms & conditions :-

ORDER

(i) In the event of arrest, the Applicant be enlarged on bail, on executing P. R. Bond in the sum of **Rs. 20,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall report to the investigating officer of the concerned police station on **3rd & 4th July, 2019** between **10.00 a. m.**

and 1.00 p. m. and thereafter, **as & when called for** by the investigating officer;

(iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The Applicant shall furnish his Bank details to the investigating officer and to cooperate with the investigation;

(v) The Applicant shall deposit a sum of **Rs. 6,50,000/-** in the Registry of this Court within two weeks from today.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. To be listed on **19.07.2019** for recording compliance of the deposit of Rs. 6,50,000/-, on the **Supplementary Board.**

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)