

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

BAIL APPLICATION NO.2111 OF 2019

Chunnilal Chennaramji Chaudhari ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Sachin Chandan for the Applicant.

Mr. A.R. Kapadnis, APP for the Respondent-State.

Mr. Santosh N. Chaudhari, PSI, Crime Branch, Thane-Bhiwandi Unit-2 present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 7th OCTOBER, 2019.

P.C.:-

This is the second bail application filed by the Applicant, who is facing trial in Regular Criminal Case No.1620 of 2017 pending on the file of the learned J.M.F.C., Bhiwandi.

2. Pursuant to the FIR dated 25th October, 2017 lodged by one Tirumalesh, Crime No.346 of 2017 was registered against the Applicant and others for offences punishable under Sections 420, 504, 506 r/w. 34 of the Indian Penal Code, 1860. It is the case of the prosecution that the Applicant had taken raw cloth material on credit from the first informant, which was to be supplied to various

companies worth Rs.49,16,725/-. The Applicant avoided to make the payment in respect of the said raw material. The cheque issued by the Applicant was dishonoured and on enquiry it was revealed that the companies, to whom the cloth material was supplied were bogus companies registered by the Applicant himself. The first informant had therefore claimed that the Applicant had cheated him to the tune of Rs.49,16,725/-.

3. The Applicant was arrested on 25th October, 2017 and is in custody till date. The previous bail application filed by the Applicant, after filing of the charge-sheet, was withdrawn on 29th August, 2018. It is stated that till date only one witness has been examined and 19 witnesses are yet to be examined. The maximum punishment for the aforesaid offences is three years. Considering the large pendency, the trial is not likely to be completed within a period of one year. The Applicant is in custody for a period of two years.

4. The above facts and circumstances would justify grant of bail. Hence, the following order:-

(i) The application is allowed.

(ii) The Applicant, who is facing trial in Regular Criminal

Case No.1620 of 2017 is ordered to be released on bail on furnishing bail bonds of Rs.1,00,000/- with one or two sureties in the like amount to the satisfaction of the learned J.M.F.C., Bhiwandi.

(iii) The Applicant shall report to the P.I., Bhiwandi Crime Unit-II on 1st Monday of every month till disposal of R.C.C. No.1620 of 2017.

(iv) The Applicant shall furnish his permanent as well as temporary address, if any, and his contact details to the concerned investigating officer.

(v) The Applicant shall not interfere with the witnesses and/or tamper with the evidence in any manner.

(SMT. ANUJA PRABHUDESSAI, J.)