

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

ANTICIPATORY BAIL APPLICATION NO.2753 OF 2019

Dipak @ Ratnakar Pavankumar Pandey .. Applicant

Vs.

State of Maharashtra .. Respondent

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Mr.Kapil Dave a/w. Mr.Darmendra Tiwari i/b. Mr.Santosh D. Thakur, Advocate for the Applicant.

Mr.S.H. Yadav, APP for the Respondent – State.

Mr.Yuvraj Patil (API) Vishrambaug Police Station, Pune, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : DECEMBER 17, 2019.

P.C. :

Applicant is seeking anticipatory bail in connection with C.R.No.194 of 2019, registered with Vishrambaug Police Station, Pune, or the offences punishable under Sections 420, 354-D, 406 and 507 read with 34 of Indian Penal Code (“IPC”, for short).

2 First Information Report (“FIR”, for short) was lodged on 22nd May, 2019 alleging that under false promises of marriage the complainant was taken in confidence. Complainant was

induced to part with huge amount. Applicant, thereafter, backed out from the promise of marriage. Complainant had demanded the money. Applicant did not return the amount. It is alleged that the accused had taken an amount of Rs.22 lakhs from the complainant. Accused is charged for offence of stalking. Under the false promises of marriage and showing intimacy the complainant was induced to part with an amount of Rs.22 lakhs for construction of office, house and when she demanded the money, she was threatened and abused. Applicant had preferred an application for anticipatory bail before the Sessions Court, which has been rejected.

3 Learned counsel for the applicant submitted that the complaint is false. Brother of applicant was arrested and granted bail, charge-sheet has been filed against him. The complainant is aged about 34 years. Major part of investigation is completed and custodial interrogation of the applicant is not necessary. The co-accused was already in custody and his accounts were seized during the course of investigation.

4 Learned APP submitted that the complainant was induced to part with an amount of Rs.22 lakhs. The accused had

made false promises of marriage. The investigation is in progress and custody of the applicant is necessary for interrogation.

5 On perusal of FIR and other documents on record, it appears that the complainant was aged about 34 years. The Applicant is aged about 22 years. Both of them were acquainted with each other. Brother of the applicant was arrested and he was in custody. He has been granted bail. Charge-sheet is filed against him. In the factual matrix of the case, custodial interrogation of the applicant is not called for. Case for anticipatory bail is made out.

6 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.2753 of 2019, is allowed;
- (ii) In the event of arrest of the Applicant in connection with C.R.No.194 of 2019, registered with Vishrambaug Police Station, Pune, he be released on bail on his executing P.R. Bond in

the sum of Rs.25,000/-, with one or more sureties in the like amount;

(iii) Applicant shall report to investigating officer on 21 and 23rd December, 2019, between 10:00 a.m. to 01:00 p.m., and, thereafter, as and when called for, till filing of charge-sheet;

(iv) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)