

ISM

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 2519 OF 2018**

Sushil Hastimal Gandhi

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Mr. Satyajeet P. Dighe advocate for the applicant

Mr. A. A. Palkar APP for the State

CORAM : NITIN W. SAMBRE, J.**DATE : JANUARY 9, 2019.****P.C.**

In crime no. 76 of 2017 registered with Nandgaon Police Station, Nashik for offence punishable under section 420 r/w 34 of the Indian Penal Code applicant is apprehending his arrest.

2 Complainant through various investors deposited amount in response to promotional seminar addressed by the applicant. The said incident took place in between 2011-2012, as the amount claim to have been deposited with “N-mart Super Market of New Look Multi Trade Private Limited”. Offence is alleged as the amount deposited was not returned. Hence, offence in question is registered.

3 Apart from delay in lodging F.I.R., the fact remains that applicant is not the office bearer of the company with whom the deposits were made. Applicant is a specially abled person with 70% of disability. That being so, in my opinion, custodial interrogation is not warranted. Hence, following order.

ORDER

- (I) Application is allowed.
- (II) In the event of arrest of applicant in crime no. 76 of 2017 registered with Nandgaon Police Station, Nashik, he be released on bail on furnishing P.R. bond in the sum of Rs. 25,000/- with two sureties in the like amount.
- (III) Applicant shall attend the Investigating Officer on 17/01/2019, 19/01/2019, 22/01/2019 and 25/01/2019 and thereafter as and when directed.
- (IV) Applicant shall not influence or tamper with evidence.

4 Application stands disposed of.

[NITIN W. SAMBRE, J.]