

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

ANTICIPATORY BAIL APPLICATION NO.335 OF 2020

Chhaganraj Purohit

....Applicant

V/s.

The State of Maharashtra & Anr.

....Respondents

Mr. Hrishikesh Mundargi, for the Applicant.

Mr. H. J. Dedhia, APP for the Respondent-State.

CORAM : PRAKASH D. NAIK, J.

DATE : 14th February 2020

P.C.:

1. The applicant is seeking anticipatory bail in connection with C.R.No.286 of 2017 registered with MIDC Police Station, Mumbai, for offences punishable under Sections 465, 467, 471, 474, 420, 120(B) r/w 34 of Indian Penal Code ("IPC" for short).

2. The case of the complainant is that, the applicant requested the first informant for a loan of Rs.6 crores for which on request of applicant, the informant mortgaged his premises at Andheri held by the informant in his company Global Dentech Private Ltd. It is further alleged that the loan of Rs. 3.28 crores availed. Said amount was passed on to the applicant No.1. The informant and Global Dentech Private Ltd. stood as co-borrower towards the loan. It is alleged that, the applicant had agreed to pay the rent to the

informant for the use of office but later he refused to pay the rent. The applicant availed another loan of Rs.1.70 crores from Capital First Ltd. without the knowledge of the first informant. Wherein allegedly informant's name is mentioned as co-borrower.

3. Learned counsel for the applicant submits that, the entire loan which was allegedly borrowed has been repaid to the Bank and there is no liability against informant.

4. Learned APP submits that the aforesaid fact is verified by the Investigating Officer from the Bank. The applicant's presence is necessary for obtaining his specimen handwriting. The statement of the Bank Officer has been recorded. It is confirmed that loan of Rs. 1.70 crores has been repaid to the bank. Learned Advocate for applicant submits that, the applicant would co-operate for providing specimen of handwriting and would co-operate in investigation. In the aforesaid circumstances, custodial interrogation of the applicant is not necessary.

ORDER

(i) Anticipatory Bail Application No.335 of 2020 is allowed.

(ii) In the event of the arrest of the Applicant in connection with C.R.No. 286 of 2017 registered with MIDC Police Station, Mumbai,

the Applicant 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 the Investigating Officer on 24th to 26th of February 2020 between 11:00 a.m. to 1:00 p.m. The Applicant shall cooperate with the Investigating Officer for providing specimen handwriting.

(iv) Application stands disposed of.

(PRAKASH D. NAIK, J.)