

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

ANTICIPATORY BAIL APPLICATION NO.844 OF 2020

Imran Yusuf Shaikh

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. K.T. Thomas i/b. Law Well & Chartered, for the Applicant.

Ms. Pallavi N. Dabholkar, APP for State/Respondent.

PSI Bokare, Kandivali (W) Police Station is present.

CORAM : SARANG V. KOTWAL, J.

DATE : 10th DECEMBER, 2020.

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.149/2020 registered at Kandivali Police Station, Mumbai on 20.3.2020 under Sections 408, 420, 465, 468 of the Indian Penal Code.

2. Heard Shri K.T. Thomas, learned Counsel for the Applicant and Ms. Pallavi Dabholkar, learned APP for the State.

3. The FIR is lodged by one Yashwant Lokare. He has stated in his FIR that he is a dealer at Country Club, Kandivali (West). The nature of his business is that he has to get members for his Club and he used to sell membership for that Club. The

Applicant was working as a Sales Manager in his Company. He used to assist the informant. The Applicant used to meet the people and used to accept money on behalf of the Company. The informant got to know that the Applicant had received money from different people. The Applicant had issued receipts, but, these receipts were forged and the amounts taken from those persons were not deposited with the Company. The FIR mentions that the Applicant had taken Rs.10,000/- from one Jimit Sanghnani, Rs.5,000/- from Ashley Oliveira, Rs.7,000/- from Jagdish Trivedi and Rs.5,000/- from Jaspreet Ahuja. According to the first informant, in all Rs.27,000/- were accepted by the Applicant and he had issued the forged receipts. Based on these allegations, the FIR is lodged.

4. Learned Counsel for the Applicant states that except Rs.7,000/- which was taken from Jagdish Trivedi, rest of the amounts are returned to the persons from whom the amounts were taken. He has annexed documents to that effect collectively at Exhibit-C. Learned A.P.P, on instructions, does not dispute this fact.

5. Learned Counsel for the Applicant, on instructions, further states that the Applicant is willing to return Rs.7,000/- to Jagdish Trivedi, but, his phone was not reachable. He is still willing to return that money if Jagdish Trivedi can be contacted. Statement on behalf of the Applicant is accepted.

6. Considering the fact that major amount involved in the offence is repaid by the Applicant, his custodial interrogation is not necessary. Therefore, protection of anticipatory bail can be granted to the Applicant.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No.149/2020 registered with Kandivali Police Station, Mumbai the applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)