

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

BAIL APPLICATION NO. 2043 OF 2019

Sandipkumar Ashokkumar Shukla ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Mr. Pravin Dabade i/by Anil Bansode for the Applicant.
Mrs. Sharmila Kaushik , APP for the Respondent-State.
PI Dhaygude attached to Govandi Police Station
present.

CORAM : SANDEEP K. SHINDE J.
DATE : 17TH JANUARY, 2020

P.C. :

Heard.

2 Applicant is accused in Crime No.03/2019
registered with Govandi Police Station for the offences
punishable under Sections 406, 408, 468, 471, 420 and 34
of the Indian Penal Code, 1860.

3 Applicant was apprehended on 20th February,
2019 and the investigation is over. Charge-sheet has been
filed.

4 Applicant, as it appears from the evidence, was employee of M/s. ABB Express Logistics. Complainant is business head of Trans world Terminal Private Limited. It is seen from the evidence on record that, a contract was entered into between the complainant-company and M/s. ABB Express Logistics for engaging the services of the applicant for the total consideration of Rs.58,68,850/-. The alleged breach of contract came to be recorded when, the proprietor of ABB Express Logistics, Mr. Tripathi had issued 10 post dated cheques to M/s Trans world Terminal Private Limited, out of which, four cheques were dishonoured due to insufficient funds. It is also brought on record that neither the applicant nor the prosecution could state whether M/s. Trans world Terminal Private Limited has initiated proceedings against the ABB Express Logistics for dishonour of cheques.

5 Be that as it may, prima-facie, it is a case of breach of contract. Evidence, prima-facie, does not show complicity of the applicant in the subject crime. Even

otherwise, the investigation is over and the trial is not likely to commence and conclude in near future. Applicant's presence can be secured by imposing suitable conditions. Hence, the following order:

ORDER

(i) The applicant be enlarged on bail in Crime No.03 of 2019 registered with Govandi Police Station, on executing PR Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;

(ii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

6 The application is accordingly, allowed and disposed off.

7 It is made clear that observations made hereinabove shall be construed as expression of opinion only for the purpose of grant of bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)