

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

922 ANTICIPATORY BAIL APPLICATION NO.467 OF 2021

**DIPAK ANANDA PANDAV
VERSUS
THE STATE OF MAHARASHTRA**

Mr.H.U. Dhage, Advocate for the applicant.

Mr.A.V. Deshmukh, APP for the respondent/State.

CORAM : SANDEEP K. SHINDE, J.

DATED : 05.08.2021

PC :-

01. The applicant is a fruit merchant. He had purchased pomegranate from the farmer worth Rs.4,61,000/-. Applicant paid Rs.2 lakhs in cash and for balance amount, issued a cheque drawn on ICICI Bank. The FIR implies the transaction is four years old. Although the applicant had drawn cheque in favour of the complainant in discharge of his liability, complainant did not deposit the cheque. Instead he approached the police; where-after Crime No.113 of 2021 was registered at Sangamner Taluka Police Station for the offence punishable under section 420 of Indian Penal Code. All in all, in my view, prima facie the allegations do not constitute offence of cheating and thus no purpose shall be served by applicant's custodial interrogation.

02. For the reasons stated, the application is granted. In the event of arrest of the applicant in the aforesaid crime, he shall be released on bail on executing bond in the sum of Rs.20,000/- (Rupees Twenty Thousand) with one or more sureties in like amount. The applicant shall join the investigation as and when called by the Investigating Officer.

03. The application is allowed and disposed of.

[SANDEEP K. SHINDE,J.]