

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

ANTICIPATORY BAIL APPLICATION NO. 1801 OF 2019

Rajan Pujari ... Applicant

Versus

The State of Maharashtra ... Respondent

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None for the Applicant.

Mr. S. R. Agarkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 7th AUGUST, 2021.

PER COURT:

1. The applicant is apprehending arrest in C.R. No.427 of 2019 registered with Jail Road Police Station, Solapur for offence under Sections 417 & 420 of Indian Penal Code (for short “IPC”).

2. The First Information Report (for short ‘FIR’) was lodged on 13th July, 2019. It is the case of the complainant that he was acquainted with the applicant. Amount of Rs.15 Lakhs was parted to the applicant for importing machinery of power looms from foreign country. The promise was not fulfilled. Cheque of Rs.5 Lakhs was given to the complainant. The cheque was dishonoured when it was deposited by the complainant. Thereafter,

the complainant had initiated the proceedings under Section 138 of Negotiable Instrument Act.

3. The applicant was granted interim protection vide order dated 19th August, 2019. The applicant has contended that the complainant had initiated proceedings under Section 138 of Negotiable Instrument Act. There is no evidence to establish that the amount of Rs.5 Lakhs was given as security in respect of friendly loan. The applicant has amended this application and placed on record the documents relating to the proceedings under Section 138 of Negotiable Instrument Act.

4. Considering the nature of dispute, custodial interrogation of the applicant is not necessary. Interim order dated 19th August, 2019 can be confirmed.

5. Hence, I pass the following order:

ORDER

(i) Anticipatory Bail Application No.1801 of 2019 is allowed;

(ii) Interim order dated 19th August, 2019 is confirmed.

(iii) In the event of arrest of the applicant in connection with in C.R. No.427 of 2019 registered with Jail Road Police Station, Solapur, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or

more sureties in the like amount;

(iv) The applicant shall attend the investigating officer as and when called for.

(v) Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)