

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.8 OF 2020

Himahshu Baldev Singh

Applicant

versus

The State of Maharashtra

Respondent

Mr.Jahangir M. Khajotia, Advocate, for applicant.

Mrs.PPShinde, APP, for State.

API Pisal, Andheri Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 18th September 2021

PC :

1. This is an application for anticipatory bail in CR No.338 of 2017 registered with Andheri Police Station for offence under Section 406 of Indian Penal Code and under Section 14 of Employees Provident Funds and Miscellaneous Provisions Act, 1952.

2. The case of prosecution is that the applicant had collected Rs.22,76,464/- towards Provident Fund and the same was not deposited with PF authorities. Learned counsel or applicant submitted that the amount of Rs.22,76,464/- has been deposited on 23rd and 27th June 2017. This fact is fortified by learned APP on instructions and on the basis of report submitted by Investigating Officer wherein the aforesaid aspect is spelt out.

3. Learned APP, however, submitted that in accordance with Section 299 of Cr.PC, the charge sheet has been filed against applicant and the applicant shall appear before the Trial Court.

There are two other cases of the similar nature registered against applicant, however, learned counsel for applicant submit that the amount in those cases has been deposited by the applicant.

4. Considering the aforesaid circumstances, the applicant need not be subjected to custodial interrogation. Interim protection dated 3-1-2020 can be confirmed. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) Interim order dated 3-1-2020 is confirmed;
- (iii) In the event of arrest of applicant in CR No.338 of 2017 registered with Andheri Police Station, Mumbai, the applicant be released on bail on his executing PR bond in the sum of Rs.50,000/- with one or more sureties in the like amount;
- (iv) The applicant shall appear regularly before Trial Court on the dates of hearing, unless exempted by the Trial Court.

(PRAKASH D. NAIK, J.)

MST