

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

ANTICIPATORY BAIL APPLICATION NO. 826 OF 2021

Dipen Mukesh Choksi	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Ms. Rushita Jain a/w Mr. Abhishek Mishra, Advocate for the Applicant.

Ms. Anamika Malhotra, APP for the Respondent – State.

Mr. Pradip V. Lad, (P.S.I.) L. T. Marg Police Station, Mumbai, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 30th MARCH, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No. 46 of 2020 registered with L.T. Marg, Police Station, Mumbai for offences under Sections 409, 420 r/w Section 34 of Indian Penal Code (for short “IPC”).

2. The First Information Report (for short ‘FIR’) was lodged on 26th January, 2020. The complainant has alleged that the co-accused Mukesh Choksi, Pushpak Choksi, Dipesh Choksi, Virendra Choksi and the applicant who were the partners of the Popatlal Jewellers had entered into the transactions with the complainant with regards to sale/purchase of gold jewellery and after gaining confidence the accused obtained 1060.890 grams gold ornaments

worth Rs.38,37,240/- and misappropriated.

3. Learned advocate for the applicant submits that there were several transactions with the complainant in the past. There is no element of cheating. The payment in respect to the previous transaction was made. The applicant is not partner of Popatlal Jewellers. The applicant has been falsely implicated in this case.

4. Learned APP submitted that, assuming that the applicant is not partner of the firm he is actively involved in the transactions. Co-accused Virendra Choksi was arrested and during the course of investigation complicity of the applicant is disclosed. It is submitted that four cases are registered in Mumbai against applicant. Similar cases are also registered at Gujarat.

5. I have perused the FIR and the investigation papers. The investigation reveals the active involvement of the applicant in the transactions. He is also involved in similar cases. In these circumstances, no case for grant of anticipatory bail is made out.

ORDER

Anticipatory Bail Application No. 826 of 2021 is rejected and stands disposed of accordingly.

(PRAKASH D. NAIK, J.)