

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

ANTICIPATORY BAIL APPLICATION NO.859 OF 2021

Ajay Keshav Kedare ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Sandeep Singh, Advocate for the Applicant.

Mr. S. S. Pednekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 5th APRIL, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No. 192 of 2020 registered with Govandi Police Station, Mumbai for offences under Sections 406, 420 & 506 of Indian Penal Code (for short “IPC”). The First Information Report (for short ‘FIR’) was registered on 27rd October, 2020.

2. The case of the complainant is that he has invested the amount of Rs. 52,50,000/- from time to time. By way security the applicant had issued cheque. In September, 2019, she made complaint to various authorities. In October, 2019 the applicant had threatened the husband of the complainant to withdraw the complaint. The husband of the complainant has thereafter expired. Even, thereafter, the complainant had pursued complaints with Assistant Commissioner Police.

3. The learned counsel for the applicant submitted that the dispute is of civil nature. The investment was made from time to time. The complainant suppressed that she has filed 138 proceeding in pursuant to cheque of Rs. 41 Lakhs. The applicant is willing to appear before the Investigating Officer. The dues of the complainant are to the tune of Rs. 8 Lakhs.

4. Assuming that the complainant had initiated proceeding under Section 138 of Negotiable Instrument Act, it is apparent that the cheque for an amount of Rs. 41 Lakhs issued by the applicant has been dishonoured. The complainant in the FIR has stated that the cheques were issued by the applicant after the investment was made by the complainant. Learned APP has pointed out the statement relating to the deposits of amount into the account of the applicant.

5. I have perused the documents on record. There is no sufficient evidence to show that, applicant has deceived the complainant. Considering the factual aspects, no case for grant of anticipatory bail is made out.

ORDER

Criminal Anticipatory Bail Application No. 859 of 2021 is rejected and stands disposed of accordingly.

(PRAKASH D. NAIK, J.)