

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

ANTICIPATORY BAIL APPLICATION NO.1368 OF 2021

Ganesh Sohanlal Purohit .. Applicant

Vs.

The State Of Maharashtra .. Respondent

Mr.Jagannath S. Pawar, Advocate for Applicant.
Mr. Y. M. Nakhwa, A.P.P. for the State-Respondent.
PSI P.B. Desai, Malvani Police Station present.

**CORAM : PRAKASH D. NAIK, J.
DATE : 28th JUNE, 2021**

PC.

1. This is an application for anticipatory bail in connection with C.R. No.613 of 2019 registered with Malvani Police Station for the offence punishable under Sections 406, 420 read with 34 of the Indian Penal Code (for short 'IPC').
2. The case of the complainant is that the accused had induced him and others to invest the amount. The promised returns were not given to the complainant.
3. The submissions of learned counsel for the applicant is that, it is purely the business transactions. There is no element of cheating. The complaint itself indicates that initially

the amount was received by the complainant. The complainant refers to the cash transactions for which there is no proof of payment. The co-accused Dharmesh Purohit was arrested and he has been granted bail. The applicant had retired from the company on 10.10.2018, which is apparent from the retirement deed.

4. Learned APP submitted that specific role has been attributed to the applicant. Several persons had invested the amount on the false representations of the accused. The statements of several investors were recorded during the course of investigation, who have stated that the invested amount was handed over by cheques and transferred through RTGS into the account of the applicant. Investigation reveals complicity of the applicant. Three other cases were registered against the applicant in State of Rajasthan. Learned counsel for the applicant submitted that the applicant has been granted bail in those cases.

5. Considering role attributed to the applicant and his complicity disclosed during the course of investigation, no case

for grant of anticipatory bail is made out. Hence, Application is rejected.

(PRAKASH D. NAIK, J.)