

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

ANT. BAIL APPLICATION NO.2052 OF 2021

Abhay Sunder Nikam ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Ms. Trupti R. Shetty for the Applicant.
Mr. Ajay Patil , APP for the Respondent-State.
Mr. Prashant Gangurde, API, Kashimira P.Stn. Present.

CORAM : SANDEEP K. SHINDE J.
DATE : 31st AUGUST, 2021.

P.C. :

Heard.

2 Prosecution case in brief is that, in the month of November, 2021, applicant had taken complainant's car on rent. Agreed rent was Rs.8,500/- per day. In consideration of this transaction, applicant had issued blank cheque drawn in the name of the complainant. Neither the car was returned nor rent was paid. Therefore, in August, 2021,

complainant lodged the First Information Report. On 8th August, car was recovered from one Rohit Patil. Whereafter statement of Rohit Patil was recorded. He stated that very car was handed over by the applicant to him against which applicant borrowed Rs.1 Lakh from him. The allegations and the material on record suggest that the applicant had dishonest intention since inception to cause wrongful loss to the complainant and to make wrongful gains to him. The first evaluation of the material on record indicates applicant's complicity in the crime.

3 Application is rejected.

4 It is made clear that observations made here-in-above be construed as expression of opinion for the purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)