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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1451 OF 2019

Vikas Bhaskar Dongre

....Applicant.

V/s

The State of Maharashtra

.....Respondent

None for the Applicant

Mr. A.R. Patil, APP for the Respondent/State

CORAM: NITIN W. SAMBRE, J.

DATE: AUGUST 03, 2021

P.C.:-

- 1] Today also, none appeared for the Applicant.
- 2] While granting ad-interim protection to the Applicant on 8th July, 2019, statement of the Applicant that he shall deposit an amount of Rs 8,28,310/- was accepted. In compliance thereof, Applicant has deposited the amount in two installments in this Court.
- 3] Applicant is seeking pre-arrest bail in Crime No.480 of 2018

registered with MIDC Police Station, Mumbai for the offence punishable under Section 420 of the Indian Penal Code.

4] Prosecution case is, Applicant promised delivery of a new four wheeler and has accepted part consideration but did not fulfill the promise. Though the Applicant has shown his bonafides by depositing the amount involved in the crime, this Court cannot be ignorant of the fact that there is similar offence registered against the Applicant being Crime No.55 of 2018 with Kandivali Police Station. Even if the amount involved in the crime in question is secured, however, court cannot be ignorant of the fact that the Applicant with criminal intention accepted the amount and has not honoured the promise. In the aforesaid backdrop, necessary ingredients of Section 420 of the Indian Penal Code can be inferred against the Applicant, so also his prima facie involvement.

5] No case for pre-arrest bail is made out. Application fails and same stands rejected.

6] The amount as is deposited in this Court is directed to be

transferred to the Investigating Officer to be shown as the amount seized in the present crime and Investigating Officer shall deal with the same in accordance with the provisions of the Criminal Procedure Code.

(NITIN W. SAMBRE, J.)