

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

ANTICIPATORY BAIL APPLICATION NO.2350 OF 2021

Mohan Laxman Dhanawade Applicant

Vs.

The State of Maharashtra & Ors. Respondents

Mr. Padnya Talekar a/w Ms. Madhavi Ayyappan i/by Talekar & Associates for Applicant.

Ms. A.A. Talekar, APP for State of Maharashtra.

PI Anjum Bagwan, APMC Police Station.

Coram : NITIN W. SAMBRE, J.

Date : 25TH OCTOBER, 2021

P.C.:

1. Heard.
2. The complainant, a partner in a firm, which was created vide partnership document dated 5th June, 2014 alleged criminal breach of trust and as such the offence in question.
3. The applicant is seeking pre-arrest bail in Crime No. 212 of 2021, registered with APMC Police Station, for the offence punishable

under Section 406 read with 34 of the Indian Penal Code on the allegations that in the capacity of partner of the Firm, he has mis-managed the funds of the partnership firm.

4. It is informed that the applicant has already attended the Investigating Officer pursuant to the interim protection ordered on 30th September, 2021 and has co-operated.

5. Since the applicant has every legal remedy of filing a suit for rendition of accounts, in my opinion, the commercial dispute is given colour of criminal offence. As such, a case for confirmation of ad-interim protection is made out. Hence, following order.:

ORDER

i) In the event of arrest in Crime No. 212 of 2021, registered with APMC Police Station, for the offence punishable under Section 406 read with 34 of the Indian Penal Code, the applicant be released on bail on his executing P.R. bond in the sum of Rs.15,000/-/- with one or two sureties in the like amount;

ii) The applicant is directed to furnish his address of place of residence and also his contact details with the I.O. within one week from today.

iii) The applicant shall not influence the prosecution witnesses or tamper with the evidence.

6. The application stands disposed of in above terms.

BHALCHANDRA
GOPAL
DUSANE

(NITIN W. SAMBRE, J.)

Digitally signed by
BHALCHANDRA
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Date: 2021.10.26
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