

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.1274 OF 2022

**ANJANESHKUMAR MAHENDRAKUMAR JANGIR
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Devdatt P. Palodkar
APP for Respondent – State : Mr. S. P. Sonpawale
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 11th OCTOBER, 2022

PER COURT :

1. Applicant is apprehending arrest in connection with Crime No.0552/2022, registered with Kotwali Police Station, Ahmednagar for offences punishable under Sections 420, 406 read with 34 of the Indian Penal Code, at the instance of informant.
2. Heard learned advocate for applicant and learned Additional Public Prosecutor for respondent – State.
3. Informant has alleged that he had deposited amount of Rs.39,00,000/- in applicant's company's account, as road toll plaza contract was to be obtained. Informant, applicant and one more person entered into partnership agreement for execution of said road toll plaza contract. The contract was terminated before its validity and the applicant by not refunding amount, which was payable to the informant, has committed criminal breach of trust and cheated him.

4. Applicant claims that he has repaid amount of Rs.47,74,475/- to informant and other partner through RTGS on 09/07/2021.

5. It appears that there is delay of one year in lodging FIR. On going through FIR and investigation papers, the dispute between applicant and informant appears to be of civil nature and relates to settlement of account of partnership. After interim protection was granted to applicant, he has attended concerned police station on 3rd, 4th, 5th of October, 2022 and he is further called on 14th October, 2022. It thus, appears that applicant has cooperated in investigation. The payment made by applicant to informant on 09/07/2021 is admitted. Investigation relates to documents and bank transactions. In that view of the matter, custodial interrogation of applicant is not necessary as nothing is to be recovered from him.

6. For the aforesaid reasons, application is allowed by confirming interim order passed by this Court on 27/09/2022. Till filing of charge-sheet, applicant shall attend concerned police station as and when called by investigating officer.

(NITIN B. SURYAWANSHI, J.)