

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1472 OF 2022

Sameer Sarjerao Patil

...Applicant

Versus

The State Of Maharashtra

...Respondent

Mr. B.R. Waramaa, Advocate for the applicant.

Mrs. P.V. Diggikar, APP for State.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 9th NOVEMBER, 2022

ORDER :

1. Heard.

2. Perused the investigation papers made available by the learned Additional Public Prosecutor. It is alleged in the FIR that there was a transaction of purchase of Swift Dzire vehicle belonging to the applicant by the informant. The applicant allegedly agreed to sale his Swift Dzire to the informant for a consideration of Rs. 3,00,000/-. The informant paid him Rs. 3,00,000/- and the applicant failed to deliver the vehicle.

3. It is the case of the applicant that the car is

manufactured in the year 2020 and it was purchased by the applicant for a consideration of Rs. 9,50,000/-. It has run only 10,000/- kilometers. The applicant agreed to sale the vehicle to the informant for a consideration of Rs. 9,00,000/-. Messages exchanged between the applicant and the informant also indicate that the applicant has asked the informant to pay balance consideration and take away the car.

4. Prima facie, this appears to be purely civil transaction and no ingredients of cheating are made out. In that view of the matter, the applicant is entitled for anticipatory bail.

5. The application is allowed in terms of interim order dated 27th October, 2022.

[NITIN B. SURYAWANSHI, J.]