

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

ANTICIPATORY BAIL APPLICATION NO.1247 OF 2022

Vinod Jalinder Parbalkar

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Mr. Sagar Tambe i/b. Mr. Ritesh Thobde for the Applicant.

Mr. Satish Ingale for Respondent No.2.

Mr. P.H. Gaikwad, APP for Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : 29th AUGUST, 2022.

P.C.:-

1. This is an application under Section 438 of Cr.P.C. filed by the Applicant apprehending his arrest in Crime No.293 of 2022 registered with Mohol Police Station, District-Solapur (rural) for the offences punishable under Sections 120 B, 417 and 420 r/w. 34 of the IPC.

2. Heard Mr. Tambe, learned counsel for the Applicant and Mr. Gaikwad, learned APP for the Respondent -State. Perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The Applicant is one of the partners of Partnership Firm - Rajeshri Hotel and Bar Permit Room (Hotel Sukhsagar). The

Complainant Anand is also one of the partners, who has lodged the FIR alleging that the Applicant had not repaid loan of Rs.20,00,000/- which was taken by him in the name of partnership firm. It is also alleged that the Applicant has not paid license fee and electricity bill since 31/03/2021. The material on record prima facie reveals that the dispute is between the partners inter se and several legal notices were exchanged between the partners.

4. Considering the nature of accusations and particularly the notice dated 29/01/2019 issued by the Applicant seeking his dues and to treat the said notice as notice of his resignation letter, this Court had by order dated 06/05/2022 granted interim protection to the Applicant. The dispute appears to be of civil nature. It is stated that the Applicant has reported to the Investigating Officer. Investigation is completed. Charge sheet has already been filed.

5. Under the circumstances, presence of the Applicant is not required for the purpose of custodial interrogation. Hence the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in Crime No.293 of 2022 registered with Mohol Police Station, District-Solapur (rural) the Applicant is ordered to be released

on bail on furnishing bail bonds of Rs.25,000/- with one or two sureties in the like amount.

(ii) The Applicant shall appear before the Trial Court and when called upon.

(iii) The Applicant shall not tamper with the prosecution evidence and /or influence the witnesses in any manner.

(iv) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and /or change of residence or mobile details, if any, from time to time.

6. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)