

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 668 OF 2022

SNEHA
NITIN
CHAVAN

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Date: 2022.03.19
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Harsha Ajay Panchal

..Applicant

V/s.

The State of Maharashtra

..Respondent

Mr. Mrunal Gurav a/w Shreyansh Mithare for the Applicant.

Mr. N.B. Patil, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

DATE : 17 MARCH 2022

P.C.

1. The Applicant, apprehending his arrest, in connection with the investigation of Crime No.132 of 2021 registered with Vishrambaug Police Station, Dist. Pune under Section 420 and 506 of IPC, is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint lodged by Rohan Bharat Changede. The allegation is that the Applicant being a Travel Agent had accepted Rs.14,50,000/- by Bank entry from the informant for booking of air tickets. However, the Applicant had failed to book the air tickets or to refund the amount.

3. It appears that the Applicant had filed Bail Application No. 7501 of 2021 before the learned Sessions Judge at Pune wherein a pursis was filed showing willingness to deposit 50% of the amount out of Rs.14,50,000/-. The learned Sessions Judge by an order dated 17.11.2021 had granted anticipatory bail *inter alia* on the following condition.

“ The Applicant is directed to deposit 50% amount of Rs.14,50,000/- within three months from this order i.e. till 17.02.2022 with further direction to deposit 25% amount out of that amount immediately and remaining 25% amount before 17.02.2022.”

4. The Applicant failed to comply with the said condition. Hence, by a subsequent order dated 17.02.2022, the application for bail has been rejected.

5. The learned counsel for the Applicant submitted that further time be granted to the Applicant to deposit the amount as the Applicant is willing to deposit the entire amount.

6. The learned APP has opposed the application on the ground that the Applicant even failed to report to the Investigating Officer when called as per the condition of the bail granted.

7. I have considered the circumstances and the submissions made.

8 It is necessary to note that in pursuance of the pursis filed and the willingness shown by the Applicant that the learned Sessions Judge had granted indulgence in favour of the Applicant and the pre-arrest bail was granted on the condition of deposit of Rs.14,50,000/- in installments. This order was passed as far back as on 17.11.2021. Even after four months thereof, the said order remains uncomplied for which no reason much less a plausible one, is forthcoming. There is no dispute that the Applicant had received amount of Rs. 14,50,000/-. In such circumstances, no case for grant of any indulgence is made out.

9. The criminal application stands rejected.

(C.V. BHADANG, J.)