

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

ANTICIPATORY BAIL APPLICATION NO.1162 OF 2022

Sunil Sethi

...Applicant

Versus

The State of Maharashtra

...Respondent

....

Mr. Prashant Pandey with Mr. Darshit Jain, Mr. Pankaj Kandhari and Mr. Mutahar Khan i/b. Mr. Moinuddin Chowdhari for the Applicant.
Mr. N.B. Patil, APP for Respondent-State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 28th APRIL, 2022.

P.C.:-

1. This is an application under Section 438 of Cr.P.C. for pre-arrest bail in C.R. No.181 of 2022 registered with Malad Police Station, Mumbai, for offences punishable under Sections 420, 465 and 467 of the IPC.

2 Heard Mr. Pandey, learned counsel for the Applicant and Mr. N.B. Patil, learned APP for Respondent-State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged

by Mr. Bhuwanesh Kumar Agarwal. The grievance of the Complainant was that the Applicant had transferred hoarding license in his name by preparing a forged and fabricated letterhead of the Complainant's company and by forging his signature on the 'no objection certificate'.

4. Learned counsel for the Applicant states that there was commercial transaction between the Applicant and the Complainant and that the Applicant herein has filed a suit No.2267 of 2021 against the Complainant and his son, who are directors of M/s. Mail Media Communication Pvt. Ltd., before the City Civil Court, Dindoshi. He submits that the said suit has been amicably settled. The consent terms are placed on record. A perusal of the consent terms also indicates that the Complainant herein has agreed for quashing the FIR No.181 of 2022 registered with Malad Police Station. Letter to that effect is also addressed to Senior Police Inspector of Malad Police Station. Learned counsel for the Applicant submits that quashing proceeding will be instituted within two weeks.

5. Considering that the parties have entered into consent terms to resolve the dispute amicably, presence of the Applicant is other wise not required for custodial interrogation. In my considered view this is fit case

for pre-arrest bail. Hence, the application is allowed on the following terms and conditions:

- (i) In the event of arrest of the Applicant in C.R. No.181 of 2022 registered with Malad Police Station, Mumbai, he shall be released on bail on executing PR bonds in the sum of Rs.25,000/- with one or two sureties to the like amount;
- (ii) The Applicant shall report to the Investigating Officer as and when required for the purpose of investigation;
- (iii) 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.)