

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2190 OF 2022

Piyush Babulal Surana .. Applicant

Versus

The State of Maharashtra & Anr. .. Respondents

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Mr.Rajendra Sorankar for the Applicant.

Mr.S.H.Yadav, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE, J.

DATED : 17th AUGUST, 2022

P.C:-

1. The applicant is served with a show cause notice from Sachin GIDC Police Station, Surat City dated 31/07/2022 vide outward number 3341 of 2022, asking him to attend the police station within three days from the receipt of the notice, pursuant to a complaint being made against him under Section 420 of IPC and Sections 63 and 65 of the Copyright Act.

The show cause notice states that one Darshankumar Indrakumar Jain, vide his application dated 30/05/2022, has

made a complaint against the present applicant informing that the design prepared by him has been used in a cloth mill, namely, Priyanka Procedure, Surat, without informing him about his design name and for selling it for Rs.7,000/-

In the wake of the aforesaid allegations, he has been asked to report to the police station.

2. Learned counsel for the applicant seeks transit bail on two counts; first being that in the year 2018, an FIR levelling similar allegations was filed in Police Station Pandesara on 24/07/2018 and he was asked to attend the police station and upon his attendance, he came to be arrested. Learned counsel would submit that subsequently, High Court of Gujarat at Ahmedabad has quashed the FIR as the Court was informed that the dispute in the impugned FIR was settled and resolved between the parties.

Learned counsel states that the applicant apprehends a similar treatment even on this occasion and he will be arrested as soon as he reports to the police station for the purpose of responding to the show cause notice.

Another ground on which the transit bail is sought is the health condition of the applicant and the necessary medical

papers are placed on record alongwith affidavit filed by the applicant on 13/08/2022, which reflect that he is suffering from high blood pressure and a patient of Type 2 Diabetes Mellitus and is advised rest.

3. Considering the exigency expressed by the learned counsel and, particularly, when in the past, there was a similar FIR registered by the very same complainant, I am inclined to grant transit bail for a period of two weeks and it is directed that the applicant shall not be arrested within these two weeks and he is at liberty to approach the Court, seeking appropriate relief. Hence the following order.

: **ORDER** :

(a) In the event of arrest in connection with Complaint No. 228 of 2022 lodged with Sachin GIDC Police Station, Surat City, applicant-Piyush Babulal Surana shall be released on **transit bail for a period of two weeks**, on executing P.R. Bond to the extent of Rs.25,000/- with one or more sureties in the like amount.

(b) During the intervening period, the applicant shall approach the appropriate Court and obtain necessary orders.

4. It is made clear that the application is not entertained on merits, but the transit bail is granted only in the wake of the exigency expressed by the learned counsel as the applicant apprehends arrest at the hands of concerned police station.

5. With the aforesaid directions, the application stands disposed off.

(SMT. BHARATI DANGRE, J.)