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

ANTICIPATORY BAIL APPLICATION NO.2457 OF 2022

- | | |
|----------------------------------|---------------|
| 1. Mr. Praveen Premchandran P.K. | |
| 2. Mr. Premchandran P.K. | ..Applicants |
| vs. | |
| 1. State of Maharashtra | |
| 2. Mr. Umar Farooq Rawthar | ..Respondents |

Mr. Shreeram Shirsat a/w Mr. Amandeep Singh, Ms. Nishi Singhvi, Mr. Shekhar Mane, for applicants.
Mr.S.V. Gavand, APP for respondent-State.
API- Mr. Shrikant Bhaskar Neve, Vakola Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 24, 2022

P.C. :

- 1.** Heard learned counsel for the applicants.
- 2.** This is an application for pre-arrest bail in respect of an offence allegedly committed punishable under section 420 read with 34 of Indian Penal Code, 1860 in connection with First Information Report No. 788 of 2022 registered with Vakola Police Station.
- 3.** It is alleged that the applicants were accepting

heavy deposits on the pretext of letting out the rooms on rent. After accepting the deposits, the applicants would not return the deposits. It is the case of the applicants that an amount of Rs.16,00,000/- has been deposited and to show their bonafides requested for some more time to repay the amount. To show the bonafides of the applicants, learned counsel for the applicants on instructions specifically made a statement that the applicants are willing to deposit a sum of Rs.11,00,000/- within a period of 6 months without prejudice to their rights and contentions.

4. I have gone through the orders dated 13/09/2022, 23/09/2022 and 12/10/2022 passed by this Court. It appears that the applicants were issued a notice under section 41A of the Code of Criminal Procedure, 1973 ("CrPC", for short) and they had appeared before the Investigating Officer. According to the learned counsel for the applicants, they have attended the Investigating Officer on 17/10/2022 and 18/10/2022 and have submitted the statement of accounts. Learned APP submitted that the applicants should appear so that the Investigating Officer

can take the notice to the logical conclusion.

5. In view of the provisions under section 41A of CrPC and in terms of the standing order of the Director General of Police issued vide Direction No. 3 of 2022 dated 20/07/2022, the applicants to appear before the Investigating Officer on 28/11/2022 and 29/11/2022 between 11.00 a.m. and 1.00 p.m. or as directed by the Investigating Officer and co-operate. In case if the Investigating Officer wants to effect the arrest if he feels that arrest is imperative in the wake of the reasons recorded by him, he may effect the arrest after giving 72 hours notice in advance to the applicants.

6. The anticipatory bail application is disposed of in the above terms.

(M. S. KARNIK, J.)