

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2580 OF 2022

Priyanka Paras Munot ... Applicant
Vs.
State of Maharashtra ... Respondent

WITH
INTERIM APPLICATION NO.3117 OF 2022

Sangram Tanaji Sorate ... Applicant
(Intervenor)
Vs.
State of Maharashtra and another ... Respondents

IN
ANTICIPATORY BAIL APPLICATION NO.2580 OF 2022

Mr. Vishwajit P. Sawant, Senior Advocate i/b. Mr. Prabhakar M. Jadhav for Applicant in ABA.

Ms. Geeta P. Mulekar, APP for Respondent-State.

Mr. Ashish Raghuvanshi for Intervenor.

CORAM : NITIN W. SAMBRE, J.

DATE : SEPTEMBER 21, 2022

P.C. :

Heard Mr. Sawant, learned senior counsel appearing for the applicant.

2. The applicant is seeking pre-arrest bail in Crime No.351 of 2022 registered with Baramati City Police Station, District - Pune (Rural) on 27.07.2022 for the offence punishable under Sections 406, 409 r/w. Section 34 of the Indian Penal Code.

3. The complainant is a partner of the firm of which the applicant is the third party beneficiary. It is claimed that the other two partners and the applicant have practised fraud and cheated the firm and also the complainant by illegally renting out the property of the firm and drawing financial benefits.

4. Mr. Sawant, on instructions, submits that without prejudice to the rights of the applicant, an amount of Rs.31,000/- in cash will be deposited with the investigating officer though he claims that the said amount of Rs.31,000/- is already transferred to the income tax department towards the liability of the firm / partner. Since the statement is made on instructions, the same is accepted as undertaking.

5. Be that as it may, the said deposit shall be without prejudice to the rights of the applicant in the trial and other proceedings.

6. Since the amount is already secured, though opposed by counsel for the intervenor - complainant, in my opinion, the case for grant of pre-arrest bail is made out.

7. In this background, in the event of arrest of the applicant in Crime No.351 of 2022 registered with Baramati City Police Station, District - Pune (Rural) on 27.07.2022 for the offence punishable under Sections 406, 409 r/w. Section 34 of the IPC, he be released on bail on executing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount. Applicant shall attend the Investigating Officer from 26th to 29th September, 2022 between 10:00 a.m. and 12 noon and thereafter as and when directed by the Investigating Officer. The said applicant shall not directly or indirectly try to influence the prosecution witnesses and tamper with the evidence.

8. Application is disposed of accordingly.

9. In view of disposal of the anticipatory bail application, nothing survives in interim application. As such, interim application stands disposed of.

(NITIN W. SAMBRE, J.)