

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

ANTICIPATORY BAIL APPLICATION NO. 2710 OF 2022

Anand @ Dayanand Mahadev Malape & Anr ...Applicants

Versus

State Of Maharashtra

...Respondent

....

Mr. Nagesh Y Chavan, Advocate for the Applicant.

Mr. A. A. Palkar, APP for the Respondent - State.

....

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CORAM : PRAKASH D. NAIK, J.

DATE : 3rd OCTOBER, 2022

PC :

1. This is an application for anticipatory bail in C.R. No. 587 of 2022 registered with Sangli City Police Station for offence punishable under Sections 420, 467, 468 read with 34 of the Indian Penal Code.

2. The case of the complainant is that the amount of Rs. 5,00,000/- was withdrawn by RTGS from the bank account of the complainant and it was transferred to the account of applicant No.2.

3. The contention of the applicants is that the amount was received in the name of the complainant because there was an arrangement between applicants and the

complainant towards consultancy in the name of complainant. The signatures on the RTGS form were not forged. It is further submitted that without prejudice to their defence the applicants are willing to deposit the amount of Rs.5,00,000/- in this Court within a period of one week from today.

4. Learned APP submitted that the applicants are required to be interrogated as investigation is in progress. The specimen of their handwriting is required to be obtained.

5. Considering the above aspects the applicants need not be subjected to custodial interrogation. They can be directed to co-operate with the investigation by providing specimen of handwriting.

ORDER

- (i) Anticipatory Bail Application No. 2710 of 2022 is allowed;
- (ii) The applicants shall deposit the amount of Rs.5,00,000/- in this Court within a period of 10 days from today.
- (iii) The applicants shall provide specimen of their handwriting to Investigating Officer.

- (iv) The applicants shall appear before the Investigating Officer on 10th, 11th and 12th October, 2022 between 11:00 am to 01:00 pm and thereafter, as and when called for;
- (v) In the event, the amount of Rs.5,00,000/- is not deposited, the prosecution is at liberty to apply for cancellation of Anticipatory bail.
- (vi) The applicants shall co-operate with the investigation.
- (vii) After the charge-sheet is filed, the amount deposited by applicants in this Court shall be transferred to the trial Court where the proceedings is pending and the trial Court shall consider the said amount as part of proceedings.
- (viii) Anticipatory bail application stands disposed of.

(PRAKASH D. NAIK, J.)