

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

**ANTICIPATORY BAIL APPLICATION NO. 3072 OF 2021**

**SNEHA  
NITIN  
CHAVAN**

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Kedar Suryakant Kadam  
V/s.

..Applicant

The State of Maharashtra

..Respondent

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Ms. Taribun Khan for the Applicant.

Mr. S.R. Agarkar, APP for the Respondent/State.

API Raju Alhat attached to Shrivardhan Police Station present.

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**CORAM : C.V. BHADANG, J.**

**DATE : 14 JANUARY 2022  
(Through Video Conferencing)**

**PC.**

1. The Applicant apprehending arrest in connection with investigation of Crime No. 37 of 2017 of police station Shrivardhan, District Raigad, under Section 420 and 406 read with Section 34 of IPC, is seeking anticipatory bail.

2. The aforesaid offence was registered on the basis of a complaint lodged by Jitendra Mali, who had obtained a contract for recovery of the electricity bills from the consumers of the Maharashtra State Electricity Board.

3. According to the prosecution, the complainant had subcontracted the said work to the Company of which the Applicant was the Manager. The allegation is that there were defaults in the matter of payment of dues to the Maharashtra State Electricity Board which were recovered.

4. It appears that according to the complainant a cheque was issued by the Director of the company in favour of the Maharashtra State Electricity Board, which was dishonoured.

5. The learned counsel for the Applicant pointed out that the complainant Jitendra Mali had filed a Criminal Case under Section 138 of the Negotiable Instruments Act before the learned Judicial Magistrate, First Class at Shrivardhan being Summary Case No. 186 of 2018, in which the parties have filed a compromise pursis on 12.10.2021 by which the complaint was agreed to be withdrawn on payment of Rs.3,30,000/-, which was accordingly paid.

6. The learned counsel for the Applicant stated that all other co-accused have been released either on regular bail or on anticipatory bail. She submitted that looking to the role of the Applicant, he may be granted pre-arrest bail.

7. The learned APP pointed out that the investigation is complete and the chargesheet is filed. The learned APP, therefore, on instructions from the Investigating Officer states that the custody of the Applicant is not required for the purposes of investigation. He, therefore, submitted that this Court may pass appropriate order as may be deemed just and necessary.

8. Hence, the following order:

(i) In the event of his arrest, in connection with the investigation of Crime No. 37 of 2017 of police station Shrivardhan, District Raigad, the applicant shall be released on bail on executing a PR Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The Applicant shall co-operate for further investigation, if any, and shall not tamper with the prosecution evidence.

(iii) Criminal application is disposed of in the aforesaid terms.

**(C.V. BHADANG, J.)**