

PMB

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

ANTICIPATORY BAIL APPLICATION NO.3187 OF 2022

SANJAY KAMLAKAR TEMBULKAR ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Ganpat Monde for applicant.

Mr. S. V. Gavand, APP for State.

Mr. Choughule, PSI, Borivali Police Station.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 1, 2022.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for pre-arrest bail in respect of the offence punishable under Sections 420, 170, 504, 506 read with Section 34 of the Indian Penal Code, 1860 in connection with C.R. No.964 of 2022 dated 09/06/2022 registered with Borivali Police Station.
- 3.** The complainant is one Mr. Gurunath Laxman Paradkar. It is alleged that sometime in the year 2013 he

got acquainted with Satish Kamble who was running a Cobbler shop. Satish Kamble had told the complainant that he has good contacts with the officers of the MHADA and the complainant could get MHADA room for less amount. Sometime in February 2020 Satish Kamble introduced the complainant with the applicant, who claimed to be the officer of MHADA. During the said meeting, it was decided that an amount of Rs.35,00,000/- was paid by the complainant. Out of the said amount, an amount of Rs.5,00,000/- was deposited in March 2020 in the account of Satish Kamble. In the account of the applicant an amount of Rs.30,00,000/- was deposited. It is the applicant's case that an amount of Rs.13,94,000/- was paid to the accused No.3-Swapnil Pawar for booking the flat.

4. According to the prosecution an amount of Rs.17,61,000/- remained with the present applicant. The applicant to show his bonafides submits that he would deposit the sum of Rs.15,00,000/- in this Court as per the schedule mentioned in the affidavit. This deposit is without prejudice to the rights and contentions. This affidavit is

accepted as an undertaking made to this Court. The said amounts to be deposited shall abide by the further orders that may be passed by this Court or by the trial Court. The custodial interrogation of the applicant is not necessary. Hence, the following order :-

ORDER

- (i) In the event of arrest in connection with C.R. No.964 of 2022 registered with Borivali Police Station, applicant-Sanjay Kamlakar Tembulkar shall be released on his furnishing a P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
- (ii) The applicant shall report to the concerned police station as and when called for.
- (iii) The applicant to co-operate with the Investigating Officer and abide by the undertaking.
- (iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

5. Anticipatory Bail Application stands disposed of.

(M. S. KARNIK, J.)