

PMB

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3302 OF 2022**

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VIVEK VITTHALRAO GAWAI

..APPLICANT

VS.

THE STATE OF MAHARASHTRA AND ORS. ..RESPONDENTS

Mr. S. B. Talekar i/b. Talekar and Associates for applicant.
Mr. N. B. Patil, APP for State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 12, 2022.

P.C. :

1. The applicant is seeking transit bail in connection with what the applicant submits to be a false and frivolous complaint filed by one Mr. Tenzing Wangdi with the Crime Branch Police Station, Itanagar, Arunachal Pradesh. It is the contention of learned counsel for the applicant that the dispute in respect of which the summons was issued is a civil dispute arising out of a contract between the parties. A request made by the applicant is for a limited protection as he apprehends arrest.

2. My attention is invited to the summon dated 29/10/2022 which is at page 34 and summon dated

09/11/2022 which is at page 42. The applicant is willing to appear before the Investigating Officer and seeking a limited protection. The subject matter is the enquiry registered with Crime Branch Police Station, Itanagar, Arunachal Pradesh. The allegation is that the applicant misappropriated an amount of Rs.6.75 Crores by transferring the same from the joint venture account to the Godavari Highways Pvt. Ltd. Considering the averments made in the application, the present application deserves to be allowed.

3. Hence, the following order :-

ORDER

(a) In the event of arrest of the applicant–Vivek Vitthalrao Gawai, for a temporary period of six weeks from today, to enable him to approach the appropriate Court for seeking appropriate relief, he shall be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

4. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)