

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3436 OF 2022

Dr. Balaji B. Tidke Patil
V/s.

...Applicant

State of Maharashtra

...Respondent.

Ms Prajakta Pawar a/w. Ms Rutuja Naik and Mr. Yogesh Pawar i/b
Mr. Milind D. Pawar for the Applicant.
Mr. Amit Palkar, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 12.12.2022.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.333 of 2022 registered at Chandannagar Police Station, Pune city for the offences punishable under Sections 341, 406 and 420 read with 34 of the Indian Penal Code (IPC).
3. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State and perused the First Information Report (FIR).
4. It appears that the co-accused Nitin Sangamnerkar executed the power of attorney dated 28 May 2020 in favour of the present applicant allowing him to run '*Sangamnerkar Hospital*' owned by him. According to the complainant, on that basis the present

applicant represented to him that he has all the rights to run the said hospital. According to the complainant, the present applicant allowed him to open Pharmacy in the said hospital by accepting refundable deposit of Rs.91 Lakhs. It appears that even leave and license agreement was also executed. It appears that some dispute arose between the present applicant and co-accused Nitin Sangamnerkar. According to the complainant, the accused are neither allowing him to open the Pharmacy nor returning his refundable deposit.

5. *Prima facie* , the dispute between the parties appears to be of purely civil nature. Considering the facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Anticipatory Bail Application is allowed.

B) In the event of arrest of the applicant in Crime No.333 of 2022 registered at Chandannagar Police Station, Pune city for the offences punishable under Sections 341, 406 and 420 read with 34 of the Indian Penal Code (IPC), he shall be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

[N.R.BORKAR, J.]