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

ANTICIPATORY BAIL APPLICATION NO.130 OF 2023

Tribhuvan Jiyalal Dhuria ..Applicant
VS.
The State of Maharashtra ..Respondent

Mr. Sagar Bhandare i/b Mr. Bhola Rai, for the Applicant.
Ms. A. A. Takalkar, APP for the State.
API- Mr. Kishor Avhule, Kasturba Marg Police Station
present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 16, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with C.R.No.1319 of 2022 dated 05/10/2022 registered with Kasturba Marg Police Station for the offence punishable under sections 406, 420, 465, 467, 468, 471 of the Indian Penal Code, 1860.
- 3.** The date of the incident is 05/10/2021. The FIR was

registered on 05/10/2022. This is in respect of cargo vessel which the applicant promised to sell to the complainant. A deposit of Rs. 20 lakhs was taken by the applicant from the complainant towards that end. There is an allegation that the applicant forged the custodian letter. The investigating officer may proceed with the investigation. The applicant to show his bonafides has shown his willingness to pay an amount of Rs. 20 lakhs. An amount of Rs. 5 lakhs is already transferred to the informant. Learned counsel for the applicant on instructions submit that the balance amount of Rs.15 lakhs will be paid to the complainant within 2 weeks from today. Statement accepted.

4. Once the applicant produces the receipt of payment of Rs. 15 lakhs to the investigating officer, the account of the applicant which has been freezed shall be de-freezed. Steps shall be taken to de-freeze the account of the applicant.

5. In this view of the matter, custodial interrogation of the applicant is not required as the applicant is willing to co-operate with the investigating officer. Hence, the following

order.

ORDER

(a) In the event of arrest of the applicant in connection with C.R. No. 1319/2022 dated 05/10/2022 registered with Kasturba Marg Police Station, the applicant - Tribhuvan Jiyalal Dhuria be released on bail on his furnishing P.R. Bond in the sum of Rs.15,000/- with one or more sureties in the like amount;

(b) 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;

(c) The applicant to report to the investigating officer on 18th, 19th and 20th January 2023 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called for.

(d) The applicant shall furnish all necessary documents and extend full co-operation with the investigating officer in the course of investigation.

(e) The applicant to abide by the statement made. If the applicant does not abide by the statement, liberty

to learned APP to apply for cancellation of anticipatory bail.

6. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)