

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 191 OF 2023**

Prathmesh Sheetaji Lunawat ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Vikrant Dere for the Applicant.
Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 20 JANUARY 2023

P.C. :-

This is an application under Section 438 of the Code of Criminal Procedure.

2. The applicant is apprehending his arrest in Crime No. 339 of 2022 registered at Vimantal police station for the offences punishable under Sections 420 and 406 read with 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State and perused the First Information Report.

4. According to the complainant, the present applicant and other co-accused represented to him that they are in real estate business. They induced him to invest in their business and assured him of good returns. According to the complainant pursuant to their inducement in the year

2018 he invested Rs. 24,50,000/-. According to him for six months applicant and co-accused had paid him Rs. 1,14,000/-, however thereafter they stopped paying the amount as assured by them.

5. According to the complainant, the applicant and co-accused refused to pay remaining amount on 21 July 2021, however, the report came to be lodged only on 6 September 2022 i.e., after more than one year. The dispute appears to be of a civil nature. Considering the facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in Crime No. 339 of 2022 registered at Vimantal police station for the offences punishable under Sections 420 and 406 read with 34 of the Indian Penal Code, he shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station from 1 February 2023 to 3 February 2023 and shall co-operate in the investigation.

(N.R. BORKAR, J.)

Digitally
signed by
MANGALTAI
JAYWANT
JADHAV
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