

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPATORY BAIL APPLICATION NO. 241 OF 2023**

Sachin Kisan Pabale

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Suyash Khose for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

.....

**CORAM : N.R. BORKAR, J.**

**DATED : 20 FEBRUARY 2023**

**P.C. :-**

This is an application under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 476 of 2022 registered at Bhosari MIDC Police Station, Pimpri-Chinchwad for the offences punishable under Sections 406, 418, 420, 468, 469, 471 of the Indian Penal Code.

3. According to the prosecution, in the year 2019 Maharashtra State Electricity Distribution Company Limited (MSEDCL) had floated tender for collection of electricity meter reading and distribution of electricity bills for a period of three years. The said tender was allotted to Sunrise Enterprises. It is alleged that the said Sunrise Enterprises had not collected the meter reading properly and thereby had caused the loss of

Rs. 73,68,855/- to MSEDCL.

4. The learned counsel for the applicant submits that though initially Sunrise Enterprise was proprietary concern it was converted into partnership firm on 2 December 2019. It is submitted that due to health issues, the applicant had handed over the responsibility of running day to day business of the firm to other three partners. The learned counsel for the applicant submits that even otherwise it is purely civil dispute.

5. It appears that tender was awarded on 23 September 2019 and at that time Sunrise Enterprises was proprietary concern of the present applicant. It is not the case of the applicant that he had informed MSEDCL about alleged conversion. Considering the overall facts and circumstances, I am not inclined to grant anticipatory bail to the applicant. Application is rejected.

**( N.R. BORKAR, J. )**