

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 244 OF 2023

Akshay Deepak Dhanave ... Applicant

Versus

The State of Maharashtra and another ... Respondents

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Mr. Abhishek Kulkarni for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 15 FEBRUARY 2023

P.C. :-

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

2. The applicant is apprehending his arrest in Crime No. 994 of 2022 registered at Hinjwadi Police Station, for the offences punishable under Sections 406, 420, 467, 468, 471, 506 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, the complainant and the present applicant were friends. It is alleged that applicant was in need of money. He thus requested the complainant to lend money to him. It is alleged that the complainant, after taking loan and borrowing money from

the relatives, had given an amount of Rs.15,63,000/- to the applicant. It is alleged that the applicant is refusing to pay back the said amount and threatening to kill him. It is alleged that the applicant by preparing forged documents had availed the loan, by mortgaging the shop of the complainant.

5. I have perused the papers of investigation. There is no material in relation to alleged forgery. *Prima facie*, the dispute between the parties appears to be of civil nature. Considering the overall facts and circumstances, I am inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

- (i) Application is allowed.
- (ii) In the event of arrest of the applicant - Akshay Deepak Dhanave in Crime No. 994 of 2022 registered at Hinjwadi Police Station, for the offences punishable under Sections 406, 420, 467, 468, 471, 506 of Indian Penal Code, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(N.R. BORKAR, J.)