

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 266 OF 2023

Shubham S. Pawar ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Ms Priyanka Dable for the Applicant
Mrs. Rutuja Ambekar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 31.01.2023.

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. 1057 of 2022 registered at Wakad Police Station, Pimpri-Chinchwad for the offences punishable under Sections 406 and 420 read with 34 of the Indian Penal Code.
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.

4. According to the complainant, the present applicant and other co-accused, are Directors of the tours and travels company namely, Timexia Corporate Pvt. Ltd. According to her, the present applicant and other co-accused had induced her and other victims to purchase travel packages and cheated them to the tune of Rs.5,45,000/-.

5. The learned Counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that on the contrary the applicant is the victim of co-accused Sunil Sarode. In support of submission, the learned Counsel for the applicant has relied upon the memorandum of understanding between the applicant and co-accused Sunil Sarode, so also report lodged by the applicant against the said co-accused dated 30 November 2022.

6. I have perused the said MOU and report lodged by the applicant. *Prima facie*, the present applicant also appears to be the victim of the said co-accused Sunil Sarode. Considering the overall 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 C.R. No. 1057 of 2022 registered at Wakad Police Station, Pimpri-Chinchwad for the offences punishable under Sections 406 and 420 read with 34 of the Indian Penal Code, the applicant 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.]