

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

ANTICIPATORY BAIL APPLICATION NO.367 OF 2023

Nihal Ahmed Malik

..Applicant

VS.

The State of Maharashtra

..Respondent

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Adv. Keshav Chavan a/w Adv. Ganesh Iyer for the Applicant.
Ms. A. A. Takalkar, APP for the State.
Mr. Kiran Patil, API, Wadala Truck Terminal Police Station,
Mumbai is present.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 6, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for pre-arrest bail in respect of the offence punishable under Sections 420, 406 read with Section 34 of the Indian Penal Code, 1860 in connection with C.R. No.758 of 2022 dated 19/12/2022 registered with Wadala Truck Terminal Police Station, Mumbai.
- 3.** The applicant is an agent. The complainant wanted to purchase certain vehicles. Accordingly, the applicant introduced the complainant to the owners of the company named Kamal Translink Private Limited, who were dealers of

the said vehicles. Five vehicles accordingly were handed over to the complainant. An amount of Rs.30 lakhs was paid by the complainant to the co-accused i.e. the owner of the Kamal Translink Private Limited. The applicant is not alleged to be the beneficiary of any amount. The allegation is that he is the one who introduced the complainant to the owner of Kamal Translink Private Limited. The entire amount has been paid in the account of Kamal Translink Private Limited. There is some dispute that the said company has not completed the documentation in respect of the said vehicles.

4. Considering the nature of the accusations, the custodial interrogation of the applicant is not required. There are no criminal antecedents reported against the applicant.

5. Hence, the following order :-

ORDER

(a) Application is allowed.

(b) In the event of arrest in connection with C.R. No.758 of 2022 dated 19/12/2022 registered with

Wadala Truck Terminal Police Station, Mumbai, the applicant-Nihal Ahmed Malik shall be released on bail on furnishing P.R. Bond to the extent of Rs.15,000/- with one or more sureties in the like amount.

(c) The applicant shall report to the concerned police station on 11/02/2023 and 12/02/2023 between 11.00 a.m. and 1.00 p.m.

(d) The applicant to co-operate with the Investigating Officer.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(f) The applicant shall furnish the details of his residential address and phone number to the investigating officer.

6. The Anticipatory Bail Application stands disposed of.

(M. S. KARNIK, J.)