

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

ANTICIPATORY BAIL APPLICATION NO. 558 OF 2023

Karan Kamal Majumdar

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Premkumar Pandey a/w. Khushboo Pathak for the Applicant.
Mr. S.V.Gavand, APP for the State.

**CORAM : ANUJA PRABHUDESSAI ,J.
DATED : 16th MARCH, 2023.**

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in C.R.No.902 of 2022 registered with Charkop Police Station, Mumbai for offences under Section 406, 420 r/w. 34 of the Indian Penal Code.

2. Heard learned Counsel for the Applicant and learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties .

3. The records prima facie indicate that the Accused No.5 in the said crime is friendly with the Applicant and is living with him and his mother - Accused No.3. Father of the Accused No.5 lodged the FIR alleging that his daughter (Accused No.5) has transferred an amount of Rs.6,71,000/- from his account to the account of Accused No.3 and that she has also withdrawn cash of Rs.3,75,000/- from his account. The

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records reveal that Accused No.3- mother of the Applicant, in whose account money was transferred has already been granted bail by the Sessions Court. It is not in dispute that no money has gone into the account of the Applicant herein. There is no prima facie material to show that he has misappropriated any amount or that he has cheated the Complainant. The records further reveal that by order dated 24.02.2023 the Applicant was granted interim protection. Learned APP states that the Applicant has reported to the Investigating Officer and has been interrogated. Learned APP further states that investigation is otherwise completed. Considering the aforesaid facts and circumstances, no case is made out for custodial interrogation. Hence the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in Crime No.C.R.No.902 of 2022 registered with Charkop Police Station, the Applicant be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand Only) with one or two sureties in the like amount, to the satisfaction of the Investigation Officer.
- (ii) The Applicant shall report to the Investigating Officer as and when required by the Investigating Officer for the purpose of investigation and interrogation.
- (iii) The Applicant shall keep the Investigating Officer informed of his current address and mobile/contact details, and/or change of residence or

mobile/contact details from time to time.

(iv) The Applicant shall not interfere with the Complainant and the other witnesses, or tamper with the evidence in any manner.

(ANUJA PRABHUDESSAI, J.)