



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1059 OF 2023

Kalpesh R. Chhajer
V/s.

...Applicant

The State of Maharashtra

...Respondent.

Mr. Sagar V. Kasar a/w. Ms Chatiali Bhogle for the Applicant.
Mr. P.H. Gaikwad Patil, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 13.04.2023.

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. 225 of 2022 registered at Satana Police Station, Nashik for the offences punishable under Sections 406, 420 and 120-B 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.
4. According to the complainant, he is a retired police inspector. According to him, in the year 2014, the co-accused Pradip Tatiya had approached him and assured him that he would get his son appointed in the educational institutes of which the co-accused Apoorva Hire is trustee. According to the complainant, he then met co-accused Apoorva Hire, who assured him to appoint his son

in D.Ed. College. According to the complainant, in view of said assurance from time to time, he had paid Rs.20 lakhs to the co-accused Pradip Tatiya. It is alleged that the applicant and other co-accused failed to keep their promise and thereby deceived him.

5. The entire allegations of demand are against the co-accused Pradip Tatiya. The allegations against the present applicant are of receiving Rs.3 lakhs from the complainant. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail subject to deposit of Rs. 3 lakhs before this Court. In the result the following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicant in C.R. No.225 of 2022 registered at Satana Police Station, Nashik for the offences punishable under Sections 406, 420 and 120-B read with 34 of the Indian Penal Code, he shall be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount, subject to deposit of Rs.3 lakhs by the applicant before this Court within four weeks from the date of uploading of this order.
- C) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

[N.R.BORKAR, J.]