

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1139 OF 2023

Vijay Ravindra Shilevant ...Applicant

vs.

The State of Maharashtra & Anr. ...Respondents

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Mr. Ravishankar Dwivedi, for the Applicant.

Mr. S.V. Gavand, APP, for the Respondent State.

Mr. Narayan Dalvi, PSI, Vile Parle Police Station, Mumbai.

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CORAM : ANUJA PRABHUDESSAI, J.

DATE : 19 APRIL 2023

P.C.:

This is an application under Section 438 of the Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in Crime No.44 of 2023 registered with Vile Parle Police Station, Mumbai, for offences punishable under Sections 419, 420 of the IPC a/w. 66C and 66D of the I.T. Act.

2. Heard Mr. Ravishankar Dwivedi, learned Counsel for the Applicant and Mr. S.V. Gavand, learned APP for the Respondent State. I have perused the records and considered the submissions advanced by learned Counsel for the respective parties.

3. The main allegation against the Applicant is that an amount of Rs.12,500/-, which was transferred towards booking charges of Villa at Pune, was wrongly credited in the account of the Applicant. Learned Counsel for the Applicant states that he will issue a Demand Draft of Rs.12,500/- in the name of the First Informant and handover the same to the Investigating Officer. Statement accepted.

4. In the light of the said statement and considering the nature of the accusation, the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in C.R. No.44 of 2023 registered with Vile Parle Police Station, Mumbai, the Applicants shall be released on bail on furnishing PR bonds in the sum of Rs.20,000/- with one or two sureties to the like amount;
- (ii) The Applicant is directed to report to the concerned Investigating Officer as and when required by the Investigating Officer;
- (iii) The Applicant shall handover the Demand Draft for Rs.12,500/- to the Investigating Officer within one week from the date of the order is uploaded;

- (iv) The Investigating Officer shall handover the demand draft to the First Informant within one week from the date of receipt of Demand Draft for Rs.12,500/-;
 - (v) The Applicant shall not tamper with the prosecution evidence and or influence the witnesses in any manner;
 - (vi) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time;
 - (vii) Learned APP assures that steps will be taken to defreeze the account of the Applicant.
5. The application is disposed of.

(ANUJA PRABHUDESSAI, J.)