



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

ANTICIPATORY BAIL APPLICATION NO. 1188 OF 2023

Sandeep Sodhi ...Applicant

Versus

State of Maharashtra ...Respondent

Mr. Advait Helekar, for the Applicant.

Mr. S. H. Yadav, APP for the State/Respondent.

API S. S. Shelake, Mumbra Police Station, present.

CORAM: N. J. JAMADAR, J.

DATED: 16th OCTOBER, 2023

ORDER:-

1. Heard the learned Counsel for the applicant and the learned APP for the State.
2. This is an application for pre-arrest bail in connection with CR No.1214 of 2022, registered with Mumbra Police Station, Thane, for the offence punishable under Section 420 of Indian Penal Code, 1860 ("the Penal Code").
3. The genesis of the offences is in the failure to supply the CCTV scanning machine despite receiving the amount of Rs.67,26,223/-. The applicant allegedly repaid only a sum of Rs.10,02,000/- and the first informant was defrauded of an amount of Rs.57,24,223/-.

4. The learned Counsel for the applicant submits that in accordance with the Consent Terms ("A"), which were taken on record, by an order dated 21st August, 2023, the applicant has paid the first installment of Rs.18,74,741/- by 14th October, 2023, to the first informant. The first informant, who is present in Court, confirms the same.

5. In view of the above and having regard to the nature of the accusation, I am inclined to exercise the discretion in favour of the applicant.

6. Hence the following order:

: O R D E R :

- (i) In the event of arrest of the applicant in CR No.1214 of 2022, registered with Mumbra Police Station, Thane, the applicant be released on bail on furnishing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- (ii) The applicant shall cooperate with the investigation and appear before the Investigating Officer as and when directed.
- (iii) The applicant shall regularly attend the proceedings before the jurisdictional Court.

(iv) In the event of defaulting in payment of balance installments, in accordance with the Consent Terms, the first informant shall have the liberty to seek cancellation of bail.

(v) It is clarified that these *prima facie* observations are confined to determine entitlement to pre-arrest bail only.

Application stands disposed.

[N. J. JAMADAR, J.]