

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

ANTICIPATORY BAIL APPLICATION NO. 1658 OF 2023

Sampat Maru

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Sachin Daga a/w. Mr. Nitin Kamble for the Applicant.

Mr. Niraj Tripathi for the Intervenor.

Mrs. A.A.TakalkaR, APP for the State.

P.I. Umesh Manchindar from Andheri Police Stn.

Interim Application not on board, taken on board.

CORAM : ANUJA PRABHUDESSAI ,J.

DATED : 30th JUNE, 2023.

P.C.

1. The Applicant seeks pre-arrest bail in Crime No. 238 of 2023 registered with Andheri police station for the offences under Section 420 r/w. 34 of the Indian Penal Code.

2. Heard learned Counsel for the Applicant, 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 aforesaid crime was registered pursuant to the FIR lodged by Mukesh Hastimal Jain. The first informant claims that the Applicant is

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one of the Directors of Brijeel Food and Beverages Pvt. Ltd., with 40% share, whereas 60% share is owned by the first informant. The grievance of the first informant is that the Applicant has falsely stated that his 60% share has been granted in favour of the co-accused, on the basis of the Power of Attorney. He states that the first informant had not executed any Power of Attorney in favour of the co-accused. The first informant claims that he has invested an amount of Rs.1,12,00,, in the c company, despite which in the balance sheet for the year 19-2020, 2020-2021, 2021-2022, the Applicant and the other Directors of the Company have shown that no amount is liable to be paid to the first informant towards loan amount. The loan was allegedly advanced from the year 2011 to 2019. The FIR is lodged in the year 2023. It is not in dispute that both the parties have filed proceedings before the NCLT, which are pending adjudication.

4. Considering the above facts and circumstances, particularly the nature of the dispute, this Court, by Order dated 14.06.2023 had granted interim relief to the Applicant. Learned APP states that pursuant to the said order, the Applicant has reported to the Investigating Officer and he has been interrogated. In the light of the above, no case is made out for custodial interrogation. Hence, interim bail granted by order dated 14th June, 2023 stands confirmed.

5. Application stands disposed of.

(ANUJA PRABHUDESSAI, J.)