

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

ANTICIPATORY BAIL APPLICATION NO. 2051 OF 2023

Pravin Satyanarayan Tiwari

...Applicant

vs.

The State of Maharashtra

...Respondent

Adv. Ghanshyam Upadhya a/w Adv. Rajkumar Mishra i/by Law
Juris - Advocate for the Applicant

Mr. H. J. Dedhia - APP for the Respondent/State

CORAM : S. M. MODAK, J.

DATE : 28th JULY, 2023

P. C. :-

1. Heard learned Advocate for the Applicant and learned APP. The investigating officer from Bhayander Police Station is present.

2. There is one complaint lodged by one Kasturchand Ramina on 08/06/2023. He has booked two flats and paid Rs. 1,25,00,000/- to the present Applicant. However, possession is not given and those flats are sold to other persons.

3. The Applicant was called in the Police Station for the purpose of inquiry. The said letter is on page no. 111 dated 16/06/2023. There are rival contention as to whether the Applicant has attended or not attended. Letter mentions that prima-facie it was

disclosed to the Police that Applicant have cheated the first informant. As on today, the offence is not registered. The Police wants to verify from him about the allegations. The Applicant is willing to attend the Police Station provided certain protection is granted.

4. Considering the facts, this Court is not aware whether any offence will be registered or not and if so under which Section. Considering the peculiar facts and circumstances, I think direction can be given to give pre-arrest notice. Hence Order:-

ORDER

- (i) Let the Bhayander Police Station to give 72 hours notice to the Applicant, in case of registration of F.I.R and if they want to arrest him.
- (ii) Learned Advocate for the Applicant submits that the Applicant stays on the same address mentioned in the application.
- (iii) If required the Applicant is entitled to apply for anticipatory bail before the Court of the Additional Sessions Judge, Thane.

5. Anticipatory bail application is disposed of.

[S. M. MODAK, J.]