

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

ANTICIPATORY BAIL APPLICATION NO. 2136 OF 2023

SANTOSH
SUBHASH
KULKARNI

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SANTOSH SUBHASH
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Durga Chindu Pedhekar ...Applicant
Versus
The State of Maharashtra and anr. ...Respondents

Mr. Amit Pardeshi, a/w Chinmay Patil, for the Applicant.
Mr. R. M. Pethe, APP for the State/Respondent.
API Pathak, Airport Police Station, Pune, present.

CORAM: N. J. JAMADAR, J.
DATED: 4th SEPTEMBER, 2023

ORDER:-

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with CR No.1035 of 2020, registered with Chakan Police Station, Pimpri-Chinchwad, for the offence punishable under Section 420 read with Section 34 of Indian Penal Code, 1860 ("the Penal Code").
3. By an order dated 2nd August, 2023, this Court was persuaded to grant interim bail as *prima facie* it did not appear that the applicant was the beneficiary of the amount of which the first informant was allegedly defrauded. The learned Counsel for the applicant submits that in terms of

order dated 2nd August, 2023, the applicant has appeared before the Investigating Officer.

4. I have perused the allegations in the FIR. Qua the applicant there are no allegations that the applicant either made any representation or induced the applicant to part with the amount. The first informant states that the amount was credited to the account of the co-accused Nilesh Chaudhary. The cheques drawn by Nilesh Chaudhary towards repayment of the said amount were dishonoured.

5. In view of the above, custodial interrogation of the applicant does not seem to be warranted. I am, therefore, inclined to make the order of interim bail absolute.

6. The application stands allowed.

7. Interim order dated 2nd August, 2023 is made absolute on the terms and conditions incorporated therein.

8. In addition, the applicant shall regularly attend the proceedings before the jurisdictional Court.

9. Application stands disposed.

[N. J. JAMADAR, J.]