

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

CRIMINAL BAIL APPLICATION NO. 2420 OF 2022

Kshitij Kumar Singh	...Applicant
Versus	
The State Of Maharashtra	...Respondent

Mr. Raviraj R. Paramane for the Applicant.
Mr. Y. Y. Dabke, APP, for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th SEPTEMBER 2023.

P.C. :

1. By this application, applicant is seeking bail in C. R. No. 719 of 2021 registered with M.R.A. Marg Police Station, Mumbai for the offence punishable under Sections 406, 420 of Indian Penal Code (for short "IPC").

2. It is prosecution's case that applicant's firm has not delivered the goods in the nature of hands gloves to the first informant. The transactions in between the first informant's firm and applicant's firm were running smoothly prior to the alleged transaction of

cheating. It is alleged that applicant had cheated of Rs. 3,91,75,220/- to the first informant.

3. It is contention of learned counsel for the applicant that this Court has granted anticipatory bail to the co-accused. Applicant had given cheques to the complainant of the alleged cheated amount. Applicant is behind bar for more than two years. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the application.

4. It is contention of learned APP that applicant has cheated the complainant to the tune of around Rs. 4,00,00,000/-. He has not provided the gloves ordered by the complainant's firm in spite of taking amount. There is *prima facie* case against the applicant. The cheques issued by the applicant in favour of the complainant are dishonored. There is *prima face* case against the applicant. Hence requested to reject the application.

5. I have heard both learned counsel. Perused FIR and charge-sheet.

6. Allegations against the applicant are that he had not

provided the gloves which were ordered by the complainant's firm. The applicant had given the cheques for the said cheated amount. The said cheques after depositing are dishonored. The investigation is completed and charge-sheet has been filed. Applicant is behind bar for more than two years. Yet trial has not commenced. It may take time to conclude trial.

7. Considering the above facts, further detention of applicant is not required.

8. In view of above, I pass following order.

ORDER

(i) Applicant be enlarged on bail in Crime No. 719 of 2021 registered with M.R.A. Marg Police Station, District – Mumbai, on executing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(ii) Applicant shall attend the concerned police station once in a month i.e. on first Saturday between 11:00 a.m. to 2:00 p.m. till framing of charge.

(iii) Applicant shall inform his latest place of residence

and mobile number immediately after being released
and/or change of residence or mobile details, if any,
from time to time to the Investigating Officer.

(iv) Applicant shall not tamper with the evidence or
attempt to influence or contact the complainant,
witness or any person concerned with the case.

(v) The Trial Court shall decide the said case on its own
merits, in accordance with law uninfluenced by the
observations made in this order.

9. The application is allowed in the aforesaid terms and is
accordingly disposed of.

10. All concerned to act on the authenticated copy of this
order.

(SHIVKUMAR DIGE, J.)