

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2926 OF 2022**

1. Jyoti Deepak Joshi

2. Deepak Yeshwant Joshi ...Applicants

Versus

The State of Maharashtra ...Respondent

WITH

INTERIM APPLICATION NO. 4347 OF 2022

.....

Mr. Angad Singh Gill a/w Ms. Divya Dadhich a/w Mr. Venkatesh Shewale
for the Applicants.

Mr. P.H. Gaikwad Patil, APP for the State.

Mr. Shyam Dewani a/w Mr. Arjun Dev i/b Dewani Associates for the
Complainant/ Intervenor.

.....

CORAM : N.R. BORKAR, J.

DATED : 3 APRIL 2023

P.C. :-

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicants are apprehending their arrest in Crime No. 75 of 2021 registered at Chaturshringi Police Station, Pune City for the offences punishable under Sections 403, 406, 420, 468, 471 r/w 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the complainant/intervenor.

4. The applicants were working in the construction company of the complainant. It is alleged that the present applicants during the period from 1 July 2015 to 17 July 2018 had misappropriated the amount of Rs. 35,62,773/-.

5. After lodging of the report with the concerned police station, preliminary inquiry was carried out, however, no cognizance of report was taken.

6. The complainant had thereafter filed the application under Section 156(3) of the Code of Criminal Procedure in which the investigation was ordered.

7. I have perused the documents placed on record. It appears from the said documents that applicant No. 1 was intimating to the complainant about the entries in the books of accounts in relation to alleged bogus expenses through e-mail and the same were approved. There appears to be delay in lodging the report. The Investigating Officer appears to have obtained specimen signatures of the applicants and thus, there appears to be no need of custodial interrogation. Considering the overall facts and circumstances of the case, I am inclined to grant anticipatory bail to the

applicants. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicants in Crime No. 75 of 2021 registered at Chaturshringi Police Station, Pune City for the offences punishable under Sections 403, 406, 420, 468, 471 r/w 34 of the Indian Penal Code, they shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.
- (iii) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.
- (iv) The applicants shall furnish their residential address and mobile number, if any to the Investigating Officer.

8. Interim Application stands disposed of.

(N.R. BORKAR, J.)