

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2952 OF 2022**

Mr. Meghdeep Milind Oak for the Applicant.
Mr. N. B. Patil APP for Respondent No.1-State.
Mr. Shreyas P. Barsawade for Respondent No.2.

DATED : 27TH FEBRUARY 2023

1. Heard learned Advocate for the Applicant and learned APP for Respondent No.1-State and learned Advocate for Respondent No.2.

2. This Court has already granted interim protection. One of the consideration was filing private complaint by present Applicant against the first informant and two others and report under section 202 of Cr.P.C. was awaited. Now the said report is given to the concerned Magistrate thereby opining that present informant and two others have cheated present Applicant.

3. According to the Applicant he is nowhere involved in the incident of kidnapping and the assault and only role alleged against him is that of video-graphing the incident. His main crux of argument is that the first informant and two others induced the present Applicant to part away certain amount by giving promise that the Applicant be added as the

Director in Sarthi Jankalyan Navbharat Limited Sanstha. After realising that he was cheated by the first informant, private complaint is lodged by the Applicant and police have supported the allegations.

4. Whereas according to learned APP and learned Advocate for the first informant that transaction is different and there is truth in allegations made in the FIR and the first informant was kidnapped from garage wherein the first informant has given his car for repair. The first informant was taken to destination and there he was assaulted and later he was dropped at Bombay Restaurant Rickshaw stop and from there he went home. This incident took place on 10th September 2022, and the FIR is lodged on 12th September 2022, for the offence punishable under sections 365, 324, 327, 141, 143, 148 and 149 of the IPC.

5. My attention is invited to copy of medical certificate evidencing various grievous injuries and copies of photographs. It is true that the Applicant is having financial dispute with the first informant but now there is allegation of kidnapping and assault.

6. Even though role assigned to the Applicant is of carrying out videography, the FIR mentions that the Applicant was present since time the first informant was taken from his car to the destination. It is further alleged that the first informant was robbed of his articles and cash amount. So I do not think that the Applicant has made out case for grant of anticipatory bail. Yet none of accused is arrested. The custodial interrogation of the Applicant is required. Hence, interim protection is vacated and the Application is dismissed.

(S. M. MODAK, J.)