

PMB

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

ANTICIPATORY BAIL APPLICATION NO.3442 OF 2022

MANGECHA JAYVIN SURYAKANTBHAI ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Ms. Pooja R. Dubey a/w Mr. Sanjay Kumar Singh for applicant.

Mr. N. B. Patil, APP for State.

Mr. Vaibhav Mali, PI, Meghwadi Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 6, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for pre-arrest bail in respect of the offence punishable under Sections 420 read with 34 of the Indian Penal Code, 1860 and under Sections 66A and 66D of the Information Technology Act, 2000 in connection with FIR No.0264 of 2021 dated 20/06/2021 registered with Meghwadi Police Station, Mumbai.

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3. It is alleged by the complainant that he was interested in purchasing Oximeter from the applicant. There was a detailed discussion and the applicant promised that he will supply Oximeter at the rate of Rs.190/- + GST per piece. An amount of Rs.2,12,800/- was fixed as the total consideration. Accordingly, an advance of Rs.12,800/- was paid through online App in the account of the applicant and further sum of Rs.1,84,000/- was paid in cash. It is alleged that Oximeters were not supplied and the complainant was cheated to the value of Rs.1,96,000/-.

4. The CRs were registered against the applicant in different States. It is brought to my notice the orders in Bail Application No.14756 of 2021 of the High Court of Jharkhand at Ranchi, Criminal Miscellaneous Application No.1129 of 2021 of the High Court of Gujarat granting regular bail to the applicant.

5. The applicant is willing to deposit a sum of Rs.1,96,000/- within a period of one week from today before the concerned jurisdictional Court. The statement is accepted.

6. In this view of the matter, the custodial interrogation of the applicant in the facts of the present case is not necessary. This deposit is without prejudice to the rights and contentions of the applicant. Hence, the following order :-

ORDER

- (i) In the event of arrest in connection with FIR No.0264 of 2021 registered with Meghwadi Police Station, Mumbai, applicant-Mangecha Jayvin Suryakantbhai shall be released on his furnishing a P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
- (ii) The applicant to report to the Investigating Officer on 12/01/2023 and 13/01/2023 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called.
- (iii) The applicant to co-operate with the Investigating Officer.
- (iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
- (v) The applicant shall furnish the details of his residential address and phone number to the

investigating officer.

(vi) The applicant to abide by the statement made.

7. Anticipatory Bail Application stands disposed of.

(M. S. KARNIK, J.)