

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3507 OF 2022

Kanhaiyalal K. Kevalramani ...Applicant
V/s.
State of Maharashtra and anr. ...Respondents.

Mr. Chetan S. Damre for the Applicant.
Mrs. Rutuja Ambekar, APP for the Respondent/State.
Ms Amita Kuttikrishnan, for Respondent No.2

CORAM : N.R. BORKAR, J.
DATE : 10.03.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 327 of 2022 registered at Upanagar Police Station, Nashik for the offences punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code.
3. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State and the learned counsel for respondent No.2.
4. According to the complainant, he was induced by the present applicant and other co-accused to purchase plot of land in their project by suppressing the fact that dispute in relation to the said project is pending before the court. According to him, pursuant to

said inducement, he had paid Rs.10,44,000/- to the applicant and other co-accused as a sale consideration.

5. The alleged Agreement to Sell / Memorandum of Understanding appears to be dated 12 September 2013. If according to complaint he was cheated, then it is not understood as to why the complaint was lodged in the year 2018.

6. *Prima facie*, the dispute appears to be of civil nature. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Application is allowed.

B) In the event of arrest of the applicant in C.R. No. 327 of 2022 registered at Upanagar Police Station, Nashik for the offences punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code, he shall be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

[N.R.BORKAR, J.]