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

ANTICIPATORY BAIL APPLICATION NO.3612/2022

VIJAYKUMAR TANAJI LOKHANDE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. A. N. Pange i/b. Mr. Swapnil Chopade for the applicant.
Mr. N. B. Patil, APP for State.
PSI Rupali Patil, Powai Police Station.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 3, 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 First Information Report (FIR) No.0010/2022 registered with Powai Police Station, for the offence punishable under Section 408 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).
- 3.** It is the case of the applicant that he had resigned from the service of the company. However, it is alleged that pursuant to his resignation the salary of the three

employees was credited to the account of the applicant and his wife. The accounts have been seized.

4. Learned APP, on instructions of the investigating officer, submitted that the applicant is not traceable and he is not co-operating with the investigation. It is further submitted by learned APP that the attempt made to serve the notice under Section 41A of the Code of Criminal Procedure was not fruitful as the applicant is untraceable.

5. Learned counsel for the applicant, on instructions, submits that the applicant is ready and willing to co-operate with the investigation and will report to the investigating officer.

6. The applicant shall report to investigating officer on 5/1/2023, at 11.00 a.m. onwards to accept the notice under Section 41A Cr.PC. The investigating officer may proceed further in accordance with law.

7. Learned APP, on instructions of the investigating officer, further submits that in case, the investigating officer wants to effect the arrest, 72 hours notice will be given to the applicant.

8. The applicant to furnish the details of his residential address and contact number to the Investigating Officer. Learned counsel for the applicant on instructions accepts that notice received through whats-app on the mobile number supplied will be a valid notice and the applicant will not make any grievance regarding non service.

9. The application is disposed of.

(M. S. KARNIK, J.)