

Sayali Upasani

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

ANTICIPATORY BAIL APPLICATION NO. 3603 OF 2023

Sufia Khan and Others	...Applicants
Versus	
The State of Maharashtra and Others	...Respondents

Mr. Satyavrat Joshi i/b Shantanu Thorat, for Applicant.

Smt. A. A. Takalkar, APP for State/Respondent.

CORAM:- N. J. JAMADAR, J.

DATED:- 21st DECEMBER, 2023

PC:-

- 1) Heard the learned Counsel for the applicants.
- 2) The learned Counsel for the applicants submitted that the respondent No. 2 has been served.
- 3) The learned Counsel undertakes to file an affidavit of service.

Leave granted.

- 4) The applicants, who are the directors of Boston Institute of Analytics Global Education Pvt. Ltd. (BIA) apprehend arrest in connection with CR No. 113 of 2023, registered with Pathankot

Police Station, State of Punjab for the offences punishable under Section 120-B, 406 and 420 of the Indian Penal Code (“the Penal Code”).

5) I have perused the allegations in the FIR. The genesis of the offences appears to be in a commercial transaction entered between the applicants and the first informant. Prima facie, the jural relationship between the parties appears to be governed by the franchise agreement, which the applicants claims to have terminated on account of the default on the part of the first informant in complying with the terms of the agreement.

6) Mr. Joshi, the learned Counsel for the applicants, submitted that the applicants have been served with the notice to appear before the SHO Pathankot Police Station on 30th December, 2023. Pursuant to the said notice the applicants are willing to appear before the concerned police station. However, till the applicants approach the jurisdictional Court and seek relief on pre-arrest bail, their liberty needs be protected.

7) Having regard to the nature of the accusation and material on record, and the willingness of the applicants to appear before the concerned Investigating Officer, I am inclined to grant interim protection till the applicants work out their remedies before the jurisdictional Court.

8) Hence, the following order:-

:-ORDER:-

I) The applicant shall appear before the the Station House Officer, Pathankot Police Station on 30th December, 2023 in between 10.00 am to 1.00 pm.

II) In the meanwhile, in the event of arrest of the applicants in connection with CR No. 113 of 2023, registered with Pathankot Police Station, State of Punjab for the offences punishable under Section 120-B, 406 and 420 of the Indian Penal Code, the applicants be released on bail on executing a PR Bond in the sum of Rs.30,000/- each, with one or two sureties in the like amount.

III) The applicants shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant and any of the persons acquainted with the facts of the case.

IV) This order shall remain in operation till 8th January, 2024.

V) The application stands disposed.

[N. J. JAMADAR, J.]