



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO. 1610 OF 2024
WITH CRIMINAL APPLICATION NO. 4081 OF 2024
IN ABA/1610/2024**

**1. VIKAS SAHEBRAO GARAD
2. DNYANESHWAR ABHIMANYU KURUDE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Ms. Ashwini A. Lomte, Advocate for the applicant
Mr. B. B. Bhise, APP for the respondent/State

**CORAM : R. M. JOSHI, J.
DATE : 1st OCTOBER, 2024**

PER COURT :-

1. Heard.
2. Learned counsel for the applicants submits that the informant himself is the founder director of Swarajya GRB Industries Pvt. Ltd. To support her submission she has placed reliance on brochure which shows present informant who is a founder director. It is her further submission that this is a case where infact the applicant is investor and is a victim of the crime. Admittedly, as per the first information report Rs.30 lakhs was deposited out of which Rs.20 lakhs was already repaid to the informant and a cheque of Rs.18 lakhs was issued. The said cheque was never presented for realization and as such it cannot be said that any offence is committed.

3. Learned counsel for the informant opposed grant of ad-interim relief on the ground that not only the informant but about 29 more persons are cheated by the applicants and total amount of misappropriation is more than Rs.3 crore. Since, this is ad-interim stage, this Court has called upon learned counsel for the informant to point out from the first information report as to whether he has lodged complaint to the police in respect of his own grievance on behalf all other investors. After going through the first information report he was unable to show that any grievance has been made with regard to the other investors.

4. In the light of the afore stated facts when the informant is an Advocate and that he has not presented the cheque of Rs.18 lakhs for realization, this Court finds substance in the contention of the learned counsel for the applicants that this is a case of grant of ad-interim relief. Hence, the order.

ORDER

(i) Till the next date, in the event of arrest of applicants in connection with Crime No. 507/2024, registered with M.I.D.C. Latur Police Station, Dist. Latur for the offences punishable under Sections 406, 420 r/w 34 of Indian Penal Code and Section 3 of the M.P.I.D. Act, they shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) each with one solvent surety in the like amount each.

(ii) They shall attend the concerned police station once in a week.

(iii) They shall not contact the witnesses directly or indirectly.

(iv) They shall not interfere with the evidence in any manner whatsoever.

(v) They are further directed to cooperate the investigating agency for further investigation.

(vi) Learned APP to communicate this order forthwith to concerned police station.

5. Issue notice to the respondents, returnable on 31st July, 2023. Learned APP waives service of notice for respondent/State.

(R. M. JOSHI, J.)

ssp