IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3595 OF 2023

Ajaykumar Karamveer Mor .... Applicant
Versus
The State of Maharashtra .... Respondent

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WITH
INTERIM APPLICATION NO.13 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO.3595 OF 2023

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Ms. Kusum Pandey, Advocate a/w. Pragati Mishra for the Applicant.

Ms. Mahalakshmi Ganapathy, APP for the Respondent-State.

Ms. Shweta R. Agarwal, Advocate for the Intervenor in IA/13/2024.

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CORAM : SARANG V. KOTWAL, J.

DATE : 30th JANUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.290/2023 registered at Boisar Police Station, District-Palghar on 19.7.2023 under sections 381 and 437 of IPC.

2. Heard Ms. Kusum Pandey, learned counsel for the Applicant, Ms. Mahalakshmi Ganapathy, learned APP for the Respondent-State and Ms. Shweta Agarwal, learned counsel for the Intervenor in IA/13/2024.

3. The FIR is lodged by one Ajay Patil, who was working as the H.R. Manager in Karamtara Engineering Private Limited, Boisar MIDC. It is alleged in the FIR that the present Applicant was working as a Plant Head in that Company. He was given laptop, pen-drive etc.. On 14.6.2023, the Applicant did not attend his work. Thereafter also he did not attend the plant. He was contacted and was told to return the laptop, pen-drive etc. He did not return it. Therefore, this FIR is lodged on the allegations that the Applicant had committed theft of the laptop, hard-disk, pen-drive etc.

4. The FIR also alleges that in March, 2023 the Applicant had sent a consignment of goods of wrong specifications to one foreign company causing heavy loss to the informant's company. According to the first informant, the

Applicant had committed theft of the laptop, pen-drive and the hard-disk worth Rs.62,000/-. On this basis, the FIR is lodged.

5. Learned counsel for the Applicant submitted that the Applicant had resigned from his job in January, 2023 itself. He had reiterated about resignation in June, 2023 by sending WhatsApp messages. He had also informed that some employees had given threats of his life. All this was ignored and this false FIR is lodged. She submitted that the Applicant was not treated properly in the company. He has sent the laptop through courier. He had no intention to commit any theft.

6. Learned counsel for the informant submitted that the Applicant has used the sensitive data from the hard-disk. He had sent the laptop, but, the hard-disk was missing. This has caused serious loss to the company as the sensitive data was sold to their rivals.

7. Learned APP submitted that the Applicant needs to cooperate with the investigation and give full information of the background.

8. I have considered these submissions. From the FIR it appears to be a dispute between the company and its former employee. The Applicant had sent the laptop through courier. Therefore, to that extent the grievance of the first informant was taken care of. As far as the allegations regarding theft of the data is concerned, those allegations are vague. The FIR does not mention even indirectly as to what that data related to. The allegations are general and vague. As far as the allegations of causing loss to the company because of his act is concerned, it could be an error of judgment on his part but that by itself may not amount to an offence.

9. Considering the background and the strained relationship between the first informant's company and the Applicant as its former employee, the custodial interrogation of the Applicant is not necessary. He will have to cooperate with the investigation.

10. Hence, the following order :

ORDER

(i) In the event of his arrest in connection with C.R.No.290/2023 registered at Boisar Police Station, District-Palghar, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

(ii) The Applicant shall attend the concerned police station from 20.2.2024 to 23.2.2024 between 1.00 p.m. to 5.00 p.m. and thereafter as and when called. The Applicant shall cooperate with the investigation.

(iii) If the Applicant does not attend the concerned police station as directed, the informant and the investigating agency are at liberty to file an application for cancellation of this order.

(iv) Anticipatory Bail Application stands disposed of accordingly. The Application for intervention is also disposed of.

(SARANG V. KOTWAL, J.)

Deshmane (PS)

PRADIPKUMAR PRAKASHRAO DESHMANE
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Date: 2024.01.31 12:29:47 +0530