

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

ANTICIPATORY BAIL APPLICATION NO. 27 OF 2024

Sagar Soni Applicant

Versus
The State of Maharashtra Respondent

YUGANDHARA
SHARAD
PATIL

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Mr. Narendra L. Kalpoth i/b Sahil Salvi, for the applicant.
Ms. Poonam Bhosale, APP for the State/Respondent.
Mr. Haseef Khan (Vijay Sales Store Manager) present in the Court.

CORAM : SARANG V. KOTWAL, J.
DATE : 26th MARCH, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R. No. 426 of 2023 registered with Sion Police Station, Mumbai, on 20/12/2023 under sections 406 and 420 of the Indian Penal Code.
2. Heard Mr. Kalpoth, learned counsel for the Applicant and Ms. Bhosale, learned APP for the State.
3. The FIR is lodged by the Branch Manager of Vijay Sales India Private Limited. The gist of the FIR is that the Applicant

purchased a T.V. worth Rs. 3,50,000/- from the informant's show room for which he had given a cheque for the amount of Rs. 3,50,000/-. The cheque was dishonoured but by that time, the T.V. was already delivered. The Applicant did not make the payment and did not return the T.V. On this basis, the FIR is lodged.

4. On the last occasion, learned counsel for the Applicant had made a statement that the Applicant would deposit the amount of Rs. 3,50,000/- in the Court and that he would have no objection if the amount is withdrawn by the first informant.

5. Accordingly, the amount was deposited in the Court. The first informant is present in the Court. He is identified by the Investigating Officer who is present in the Court. He has accepted that the Applicant has deposited the said amount of Rs. 3,50,000/- in the Court and the informant has withdrawn it. The office note also shows that the amount is deposited by the Applicant.

6. In this view of the matter, the Applicant can be

protected under Section 438 of Cr. P.C. Hence the following order.

ORDER

- (i) In the event of his arrest in connection with C.R. No. 426 of 2023 registered with Sion Police Station, Mumbai, the Applicant is directed to be released on bail on his executing PR. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)