

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

ANTICIPATORY BAIL APPLICATION NO.571 OF 2024

Vinod Kumar Sharma

.... Applicant

versus

Inspector of Police, Alkapuri,
Ratlam & Anr.

.... Respondents

.....

- Mr. Brijesh Pathak, Advocate for Applicant.
- Ms. Mahalakshmi Ganapathy, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 14th MARCH, 2024

P.C. :

1. This is an application for Transit Anticipatory Bail. The Applicant is seeking anticipatory bail in connection with C.R.No.51/2024, dated 29/01/2024, registered at Audyogik Kshetra Police Station, Ratlam.

2. This matter was listed before this Court on the first occasion on 29/02/2024. On that day, I had issued notice to the Public Prosecutor and the Investigating Officer, who are seized of the subject matter of the FIR, as per the guidelines of the

Hon'ble Supreme Court in the case of Priya Indoria Vs. State of Karnataka, as reported in 2023 SCC Online SC 1484. The matter was directed to be listed on 05/03/2024. On 05/03/2024, it did not reach as the Court time was over and then it was listed on 06/03/2024. On 06/03/2024, a request was made by the Applicant for adjournment and thereafter the matter was listed on 08/03/2024. On that day, I had issued fresh notice to the Respondents to give them one more chance, as nobody had appeared for the Respondents. Even today nobody appears for the Respondents. Learned counsel for the Applicant has filed affidavit of service. It is taken on record. Therefore, I am deciding this application today.

3. The FIR is lodged by the Audyogik Kshetra police station, Ratlam, u/s 420, 467, 468, 120-B of the IPC. Ultimately, the Applicant will have to make application u/s 438 of Cr.P.C. before the competent Court in Madhya Pradesh, where the FIR is registered. However, in view of the observations of the Hon'ble Supreme Court, in the case of Priya Indoria (supra) this Court can protect the Applicant for a limited period to approach,

the competent court in a different State. In that context I have considered the allegations in the FIR.

4. The gist of the FIR is that the first informant's documents were used to open the bank accounts in Punjab National Bank, Alkapuri branch. That amount was used to carry out huge transactions without the informant's knowledge and thus the offence was committed.
5. Learned counsel for the Applicant pointed out that the Applicant's name is not mentioned in the FIR. However, the Applicant has received a call from the concerned police station to attend the police station and the Applicant apprehends that he could be implicated in that offence. He submitted that the Applicant is a resident of Mumbai and he needs reasonable time and opportunity to approach the competent Court. I am inclined to grant such relief. While granting such relief, some conditions can be imposed on him, so that his presence is secured if necessary.

6. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.51/2024, dated 29/01/2024, registered at Audyogik Kshetra Police Station, Ratlam, for a period of three weeks, 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 deposit his passport, if any, with the nearest police station, subject to further orders from the competent Court.
- (iii) The Applicant shall attend the nearest police station every alternate day, whenever he is in Mumbai.
- (iv) This order shall operate for a period of three weeks from today.
- (v) The application is disposed of.

(SARANG V. KOTWAL, J.)