

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

CRIMINAL BAIL APPLICATION NO. 3499 OF 2024

Umakant Ramesh Gaikwad

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Shailesh Kharat with Mr. Prasad Kamthe, Advocate for Applicant.

Mrs. Veera Shinde, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 19th SEPTEMBER, 2024

PC:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 1202 of 2023 registered with Shahupuri Police Station Kolhapur for the offences punishable under Sections 406, 409 and 420 read with Section 34 of the Indian Penal Code, 1860.

3) Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, it is evident that the dispute arose out of business transaction. The complaint was lodged after the cheques were given by the accused to the informant, were dishonoured.

4) Thus, considering the nature of the dispute and the fact that the charge-sheet has already been filed, I am of the opinion that further custody of the applicant is not necessary. Accordingly, though the learned APP is strongly opposing the present application, I pass the following order.

ORDER

- (i) Bail Application is allowed and disposed off;
- (ii) It is directed that the applicant shall be released on bail in Crime No. 1202 of 2023 registered with Shahupuri Police Station Kolhapur for the offences punishable under Sections 406, 409 and 420 read with Section 34 of the Indian Penal Code, 1860, on furnishing PR.Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- (iii) The Applicant shall attend said Police Station on 1st and 16th day of every month between 12.00 noon and 2.00 pm till conclusion of trial, except on the date of trial;
- (iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- (v) Liberty is granted to the State for cancellation of bail in case Applicant breaches any of the conditions and/or if the applicant commits similar offence;
- (vi) The applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the trial Court for any reason.

(ANIL S.KILOR, J.)