

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

ANTICIPATORY BAIL APPLICATION NO.71 OF 2024

Suresh Ramesh DhundhaleApplicant
Versus
The State of Maharashtra Respondent

Mr. Waqar Nasir Pathan, Advocate for the Applicant.
Ms. Mahalakshmi Ganapathy, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 12th JANUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.749/2023 registered with Goregaon Police Station, Mumbai on 9.12.2023 under Sections 406 and 420 of IPC.

2. Heard Mr. Waqar Nasir Pathan, learned counsel for the Applicant and Ms. Mahalakshmi Ganapathy, learned APP for the Respondent-State.

3. The FIR is lodged by one Vinaykumar Singh. He was having his business of giving the cameras for shooting

on hire. His case is that the Applicant used to hire cameras from his shop since past many days and the informant had developed trust on him. In April & May 2023, the Applicant took some camera equipment for shooting. It was agreed that the cameras would be returned within 70 days. In June, 2023 the Applicant again approached the informant and asked for more cameras. The informant told him to return the earlier cameras and to pay the rent in respect of those cameras. However, the Applicant did not return those cameras and according to the first informant has caused loss to the tune of Rs.40,18,109/-. The list of the camera equipment is mentioned in the FIR. Though there are 29 items mentioned, some of the items are in the nature of accessories of the cameras. On this basis, the FIR is lodged.

4. Learned counsel for the Applicant submitted that he was working for a Production House and he had brought those cameras for their Production House. The shooting was taking place in Manali, Himachal Pradesh and there was an

incident of theft in which the camera equipments were stolen. Therefore, he was unable to return the cameras.

5. Learned counsel submitted that the Applicant is trying to raise money and is trying to find out a possibility of recovering insurance on behalf of the Production House in respect of the cameras.

6. Learned APP, on instructions, submitted that as of today the investigating agency does not have the details about the incident of theft at Manali, Himachal Pradesh and it is not yet verified. She seeks further time to make her submissions.

7. Considering this situation, to test the claim of the Applicant it is necessary for the investigating agency to make proper investigation regarding the alleged theft at Manali, Himachal Pradesh. Therefore, today I am adjourning the matter. Till then the Applicant can be protected. He will have to cooperate with the investigation so that the truth can be found out.

8. Hence, the following order:

ORDER

- (i) In the event of his arrest in connection with C.R.No.749/2023 registered with Goregaon Police Station, Mumbai, till the next date, the Applicant be released on bail on his executing a PR. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) This order shall operate till 9.2.2024.
- (iii) The Applicant shall attend the concerned Police Station on 22.1.2024, 23.1.2024 and 24.1.2024 between 1:00 p.m. to 4:00 p.m and thereafter as and when called. The Applicant shall cooperate with the investigation.
- (iv) Stand over to 9.2.2024.

(SARANG V. KOTWAL, J.)