

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

ANTICIPATORY BAIL APPLICATION NO.191 OF 2024

Suresh Henry ThomasApplicant
Versus
State of Maharashtra Respondent

Mr. Vincent D'Silva, Advocate i/b. Sujit A. Mane, for the Applicant.
Ms. Mahalakshmi Ganapathy, APP for the Respondent-State.

**CORAM : SARANG V. KOTWAL, J.
DATE : 23rd JANUARY, 2024**

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.708/2023 registered with Bangur Nagar Police Station, Mumbai on 26.12.2024 under Sections 406 and 420 of IPC.

2. Heard Mr. Vincent D'Silva, learned counsel for the Applicant and Ms. Mahalakshmi Ganapathy, learned APP for the Respondent-State.

3. The FIR is lodged by one Archana Gupta. She was in the field of film production. She was also acting in some projects. She has her own production company by the name CZ Entertainment Private Limited. She was knowing

the present Applicant since past 15 years. In February, 2022, the Applicant approached her with a proposal for a project to make a Web-Series. He told the informant that she needed to invest Rs.15 Lakhs in the project. The project would be completed between March to April 2022 and if it was not so completed she would get her principal amount along with interest of Rs.3 Lakhs in November, 2022. They executed an MOU. Subsequently, the project was not completed and the money was not returned. On this basis, the FIR is lodged.

4. Learned counsel for the Applicant submitted that the MOU itself contains an arbitration clause and, therefore, it is purely a commercial dispute. Only because of some financial difficulties the project could not be completed. Some portion of the Web-Series was actually shot. Therefore, there was no intention to cheat the informant. He further submitted that the Applicant is sincerely trying to settle the matter.

5. Considering these submissions, today I am inclined to grant ad-interim protection to the Applicant. He

will have to attend the concerned police and cooperate with the investigation till the next date.

6. Hence, the following order:

ORDER

- (i) In the event of his arrest in connection with C.R.No.708/2023 registered with Bangur Nagar Police Station, Mumbai, till the next date, the Applicant 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) This order shall operate till 5.3.2024.
- (iii) The Applicant shall attend the concerned police station as and when called and shall cooperate with the investigation.
- (iv) Stand over to 5.3.2024.

(SARANG V. KOTWAL, J.)