

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

ANTICIPATORY BAIL APPLICATION NO. 1172 OF 2024

1. Geetanjali Jayant Deshmukh,	
2. Jayant Shankar Deshmukh.	..Applicants
Versus	
The State of Maharashtra	..Respondents

Ms. Disha Solanki for Applicants.
Ms. Mahalakshmi Ganapathy, APP for State/Respondent.
Mr. Siddharth Singh i/b. Sunil Kumar for Intervenor.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 29 APRIL 2024

P.C. :-

1. The Applicants are seeking anticipatory bail in connection with C.R.No.88 of 2024 registered at Dindoshi Police Station, Mumbai, on 31.01.2024, under Sections 420 and 406 r/w. 34 of the Indian Penal Code.

2. Heard Ms. Disha Solanki, learned counsel for the applicants and Ms. Mahalakshmi Ganapathy, learned APP for the State. Mr. Siddharth Singh, learned counsel appears and states that he has instructions to file an intervention application for the first

informant. He submitted that the advocate who is engaged in this case on behalf of the informant is in personal difficulty because his mother is hospitalised. He prays for time. Considering this request, I am inclined to adjourn this matter. However, since the applicant is without protection, I have heard the parties for consideration of ad-interim relief.

3. The F.I.R. is lodged by one Magansingh Parmar. He has stated that he has his electrical and hardware store at Goregaon. He was in the business of supply of electrical, plumbing and building material. During his business, the applicants who had their projects in the film city, used to purchase material from his shop. The applicants were his old customers and, therefore, some times they used to do transactions on credit and the money was paid subsequently. It is alleged that, between September 2018 to January 2019 the applicants took the material worth Rs.33,16,641/- on credit. It is alleged that the applicants did not make the payment. Thereafter there was lockdown due to spread of Covid-19 pandemic. After it was lifted, the informant asked the applicants for his payment. At that time, the applicants gave

evasive answers. Therefore, he was convinced that his money was lost. Therefore, he lodged this F.I.R.

4. Learned counsel for the applicants submitted that the allegations are from the period 2018 to 2019 and the F.I.R. is lodged on 31.01.2024. She submitted that, there is a dispute regarding over-pricing and, therefore, the amount mentioned in the F.I.R. is not correct. She submitted that, at the highest, it is a civil dispute and there is no criminality attached to it.

5. Learned APP submitted that, if ad-interim relief is granted to the applicants, they may be directed to attend the concerned police station as and when called.

6. Learned counsel for the intervenor submitted that the applicants have not attended the police station.

7. Considering the submissions made by the learned counsel for the parties, learned counsel for the applicants has made out a case for grant of ad-interim relief. As far as, reporting to the concerned police station is concerned, the applicant can be

directed to attend the police station as and when called. If they do not co-operate with the investigation, that factor can be taken into consideration on the next occasion.

8. Hence, the following order.

ORDER

- i) In the event of their arrest in connection with C.R.No.88 of 2024 registered at Dindoshi Police Station, Mumbai, till the next date, the Applicants are directed to be released on bail on their executing P. R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.
- ii) This order shall operate till 26/06/2024.
- iii) The Applicants shall attend the concerned Police Station as and when called and shall cooperate with the investigation.
- iv) The informant is at liberty to file intervention application.
- v) Stand over to 26/06/2024.

(SARANG V. KOTWAL, J.)