

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

**ANTICIPATORY BAIL APPLICATION NO.1571 OF 2024**

Prashant Namdeo Sonare

Aged: 42 years, Occu: Business

R/o:- At. Sarangpuri, Taluka- Shahapur

Dist: Thane

... Applicant

v/s.

The State of Maharashtra

(Through Khadakpada Police Station)

... Respondent

....

Mr Anil S Kamble, for the Applicant.

Ms Rashmi Tendulkar, APP, for Respondent State.

Mr Amol Khonde, API, Khadakpada Police Station.

....

**Coram : R.N. Laddha, J.**

**Date : 13 June 2024**

**P.C. :**

. Heard Mr Anil S Kamble, the learned Counsel representing the applicant, and Ms Rashmi Tendulkar, the learned Additional Public Prosecutor representing the respondent/ State.

2. This is an application for pre-arrest bail filed by the applicant, apprehending arrest in CR No.I-358 of 2023 registered with Khadakpada Police Station, Kalyan, for the offences punishable under

Sections 406 and 420 of the Indian Penal Code.

3. The allegations against the present applicant-accused are that he deceived the complainant by promising to deliver a one plus one room within a year, in exchange for Rs.5,71,000/-. However, the accused neither provided the room nor refunded the money.

4. The learned Counsel for the applicant submits that as a property developer the applicant is ready to fulfill the terms of agreement dated 25 February 2018.

5. The learned APP argued that the investigation is in progress. The applicant has defrauded the informant and obtained Rs.5,71,000/- from the first informant.

6. Upon perusing the material placed on record, it transpires that the allegations against the applicants are regarding the breach of contract. All the necessary documents are already in possession of the investigating agency. Moreover, the applicant is ready to fulfill the terms of the agreement. Prima facie, the dispute appears to be of a civil nature. In the circumstances, the custodial interrogation is not necessary. Considering the allegations made against the applicant, this Court is inclined to allow the present application in the following terms:

- (i) In the event of the applicant's arrest in CR No.I-358 of 2023 registered with Khadakpada Police Station, Kalyan, the applicant shall be released on bail upon furnishing a PR Bond of Rs.25,000/- with one or two sureties in the like amount.
  - (ii) The applicant shall cooperate with the investigation and attend the police station as and when required.
  - (iii) The applicant shall not, himself or through any other person, indulge in any activity that would tamper with the evidence or influence the witnesses.
7. The application is disposed of accordingly.

(R.N. LADDHA, J.)