

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

ANTICIPATORY BAIL APPLICATION NO. 1865 OF 2024

Rohan Chandrashekhar Mathkari	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Piyush Toshnival for the Applicant.
Mr. Rushikesh M. Pethe, APP for Respondent-State.
PSI - V. H. Pawar, Kothrud Police Station.

**CORAM: MANISH PITALE, J.
DATE : 16th JULY 2024**

P.C. :

. Heard learned counsel for the applicant and learned APP for respondent-State.

2. The applicant is apprehending arrest in connection with FIR No.0289 of 2023 dated 25th December 2023 registered at Kothrud Police Station, Pune, for the offences under Sections 406, 420, 504 and 506 read with 34 of the Indian Penal Code, 1860 (IPC). The applicant is one of the four accused persons and one of the co-accused person has been granted anticipatory bail by the Sessions Court, primarily on the ground that the said accused person is not a beneficiary and his role was restricted to introducing the informant to the applicant and others.

3. The specific allegation against the applicant is that he gave an impression to the informant that he was working with the bank

and that in any case, he had good relations with officials of the Indian Bank, Sadashiv Peth, Pune. He further gave an impression to the informant that he could assist the informant in obtaining loan from the said bank. In that connection, on various dates the informant transferred amounts to the account of the applicant totaling Rs.6,37,400/-. It is further stated that when the loan was not being disbursed and the informant contacted the aforesaid branch of Indian Bank, it came to light that the applicant had cheated the informant. It is stated that on 28th April 2023, the applicant returned an amount of Rs.75,000/- to the informant, but thereafter, he started avoiding the informant.

4. At the outset, the learned counsel appearing for the applicant, on instructions, makes a statement that the balance amount of Rs.5,62,400/- can be deposited before this Court to show the bonafide of the applicant and it is further stated that the applicant shall cooperate with the investigation.

5. The learned APP, on the other hand, has highlighted the role of the applicant as per the statement of the informant, which indicates the ingredients of offences under Sections 406 and 420 of the IPC. It is submitted that this Court may issue appropriate directions for the applicant to give details of all the aspects of the matter, including his bank account details.

6. Considering the statement made on behalf of the applicant regarding depositing the balance amount, at this stage, this Court

is inclined to grant interim relief to the applicant, subject to the applicant cooperating with the investigation.

7. In view of the above, the following interim order is passed:

- (a) Till the next date, in the event the applicant is arrested in connection with FIR No. 0289 of 2023 dated 25th December 2023 registered at Kothrud Police Station, Pune, he shall be released on bail on furnishing PR Bond of Rs.50,000/- and one or two sureties in the like amount.
- (b) As per the undertaking given to this Court, the applicant shall deposit balance amount of Rs.5,62,400/- in the Registry of this Court within three weeks from today.
- (c) The applicant shall remain present before the Investigating Officer on 19th July 2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when called by the Investigating Officer. He shall co-operate with the investigation, including providing all documents in his custody, as also depositing his mobile phone, if so demanded by the Investigating Officer.
- (d) The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

8. In the event, the applicant violates any of the aforesaid conditions, the order passed today would be recalled.

9. It is made clear that in the event, the applicant violates any of the conditions recorded herein above, particularly the undertaking given to his Court to deposit the aforementioned amount, the present order shall stand recalled, without further reference to the Court.

10. List for further consideration on 16th August 2024 (High on Board).

MANISH PITALE, J.