

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

ANTICIPATORY BAIL APPLICATION NO. 2068 OF 2024

1. Shahid Aziz Inamdar &
 2. Aziz Gulab Inamdar
- ...Applicants

Versus

The State of Maharashtra

...Respondent

- Mr. Nitin Gaware Patil aw Mr. Shubham Wadne and mr. Shantanu Kolhe for Applicants.
- Ms. Megha S. Bajoria, APP for Respondent.
- Mr. Kailash S. Jadhav, Investigating Officer.

CORAM : MANISH PITALE, J.

DATE : 01st OCTOBER, 2024.

P. C. :

1. Pursuant to the interim order passed by this Court, there was some difference of opinion on the question as to whether the applicants had remained present before the Investigating Officer. Considering the material brought to the notice of this Court, it appears that the applicants did remain present before the Investigating Officer.

2. A statement dated 03.09.2024 of the applicant No.2 (Accused) is being harped upon by the learned APP to claim that the amount due as discernible from the statement of the informant is admitted by the said applicant. But, this Court is of the opinion that the material in the form of invoices or any other such material that may have been unearthed during the

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course of investigation needs to be perused to understand as to whether there is material to indicate that the applicants (accused persons) had dishonestly induced the informant to supply Apples and thereafter, despite representing that the amounts as claimed by the informant were due, ended up paying only about half the amount.

3. Perusal of such material in the form of the invoices or any other such documents is necessary, in the facts and circumstances of the present case.

4. The learned APP seeks some time to produce the relevant material for perusal of this Court.

5. List for further consideration on **24th October, 2024**, to be **included in the “Supplementary List.”**

6. The interim order shall continue to operate till then.

(MANISH PITALE, J.)