

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2280 OF 2024

Dilipkumar Narayan Dubey

...Applicant

Versus

Union Territory of Dadra and Nagar Haveli
and Daman and Diu & Anr.

...Respondents

- Mr. Virendra V. Pethe, for Applicant.
- Mr. Harsh Dedhia h/f Mr. Venegaonkar, for Respondent No.1
- Mr. Mayur S. Sonavane, APP for Respondent No.2.

CORAM : MANISH PITALE, J.

DATE : 09th SEPTEMBER, 2024.

P. C. :

1. Heard learned counsel for the applicant and learned counsel appearing for contesting respondent No.1.
2. The FIR in the present case is registered against the accused persons, including the applicant on the allegation that while payments were made by the complainant – company, correspondingly goods were not supplied and in the said conspiracy the applicant as an employee of the complainant – company was involved.
3. It is submitted that the applicant has been an employee of the company for about 28 years and he was recently promoted in February, 2024 as Clerk in the office of the complainant – company. It is submitted that the applicant is not involved in the present case and that he had cooperated with

the Investigating Authority, but for the fact that he suffered from ill-health. It is submitted that the applicant is ready to remain present before the Investigating Officer.

4. The learned counsel for respondent No.1 submits that the applicant could not remain present because of ill-health and he was admitted in hospital for a few days. But, thereafter when notice under Section 41(A) was issued, the applicant did not respond positively.

5. Considering the fact that the nature of allegations in the present case would involve documentary material, so long as the applicant is ready to cooperate with the investigation and remains present before the Investigating Officer, interim relief can be granted.

6. In view of the above, there shall be interim order in the following terms :

(A) Till the next date of listing, in the event the applicant is arrested in connection with FIR No.0034 of 2024, dated 21.05.2024, registered at Police Station Naroli, District Dadra and Nagar Haveli, he shall be released on bail, on furnishing PR Bond of ₹ 50,000/- one or two sureties in the like amount, to the satisfaction of the Trial Court.

(B) The applicant shall remain present before the Investigating

Officer on 12.09.2024 and 13.09.2024 between 10:00 a.m. and 12:00 noon and thereafter as and when called by the Investigating Officer.

(C) The applicant shall cooperate with the investigation, including producing all relevant documents in his possession.

(D) The applicant shall not tamper with the evidence in any manner. He shall not influence the informant, witnesses or any other persons concerned with the case.

7. Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

8. List the application for further consideration on **11th October, 2024, to be listed in the “Supplementary List.”**

(MANISH PITALE, J.)