

(Corrected as per speaking to minutes of order dated 10.10.2024.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2354 OF 2024

Shatrudhan Pralhad Samrat ... Applicant

Vs.

State of Maharashtra ... Respondent

Ms. Pravada Raut for Applicant.

Ms. Mehga S. Bajoria, APP for Respondent-State.

Mr. B. P. Dube, PSI, Virar Police Station.

CORAM : MANISH PITALE, J.

DATE : SEPTEMBER 06, 2024

P.C. :

. Heard Ms. Raut, learned counsel for the applicant and Ms. Bajoria, learned APP for the respondent State.

2. The applicant is apprehending arrest in connection with FIR No.0981 of 2023 dated 14.10.2023 registered with Virar Police Station, District - Mira Bhayander, for offences under Sections 406 and 420 read with Section 34 of the Indian Penal Code, 1860 (IPC), as also under Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (MPID Act).

3. It is to be noted that by order dated 26.07.2024 passed in Anticipatory Bail Application No.1892 of 2024, this Court rejected the anticipatory bail application of the co-accused i.e. wife of the present applicant. In the said order, this Court recorded the serious nature of allegations levelled against the accused persons, indicating that the ingredients of the offences registered against the accused persons are *prima facie* found on the basis of the material on record.

4. The learned counsel for the applicant submits that the applicant is

ready to deposit the amount allegedly misappropriated.

5. The learned APP submits that the investigation papers reveal serious offences against the applicant, including forgery of certain documents.

6. This Court has considered the material on record. In such cases, it is not appropriate to show any indulgence to accused persons, against whom there is sufficient material to show ingredients of serious offences like those registered in the present case, including offences under the MPID Act, only on statements made by accused persons of willingness to deposit the misappropriated amount. In fact, such a statement only indicates an admission on the part of the accused person of having committed such an offence although the statement is said to be made without prejudice to the rights and contentions.

7. Considering the material on record and taking an overall view of the matter and particularly when the anticipatory bail application of the co-accused person has been already dismissed, no indulgence can be shown to the applicant.

8. Accordingly, the application is dismissed.

9. It is made clear that the observations made hereinabove are limited to deciding the present anticipatory bail application. The concerned Court before whom the applicant may move further appropriate proceedings shall proceed uninfluenced by the observations made in this order.

(MANISH PITALE, J.)