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

ANTICIPATORY BAIL APPLICATION NO. 2489 OF 2024

Ashok Kumar S/o Kedar Pandit

....Applicant

V/s.

The State of Maharashtra

...Respondent

Mr. Santosh Gupta for Applicant.

Mr. H.J. Dedhia, APP for State.

CORAM : N.J. JAMADAR, J.

DATED : 3rd DECEMBER 2024

P.C. :

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R. No.12 of 2024 registered with Cyber Police Station for the offences punishable under Sections 120-B, 419, 406, 420, 465, 467 and 471 read with Section 34 of the Indian Penal Code, 1860 (the IPC) and Section 66(D) of the Information Technology Act, 2000 (the I.T. Act).
3. By an order dated 26th September 2024 this court was persuaded to grant interim bail to the applicant observing, inter alia, as under :

“3. The indictment against the applicant and the co-accused is that the applicant is one of the 34 credit card holders, who have obtained credit reversals without entering into an international transaction. The Indusind

Bank was thus defrauded to the tune of Rs.4,47,31,100/-.

4. Learned Counsel for the Applicant submitted that the applicant had obtained commercial reversal to the tune of Rs.33,27,281/-. Learned Counsel submitted that the demand notice was issued on 14 June 2024 wherein no allegations of fraud and cheating have been made. The applicant has been simply called upon to pay the outstanding amount. Learned Counsel for the Applicant further submitted that to show his bonafide the applicant is willing to deposit a sum of Rs.10 Lakhs with this Court.

5. The question as to whether the applicant was a privy to the forgery of the documents and whether the applicant used the forged documents as genuine despite having known that the documents are forged, would warrant consideration.

6. In view of the above, I deem it expedient to protect the liberty of the applicant and direct him to join in the investigation.”

4. Learned counsel for the applicant on instructions submits that, as undertaken, the applicant has deposited the amount of Rs.10 Lakhs in this court.

5. Learned APP on instructions submits that in terms of the aforesaid order the applicant has appeared before the Investigating Officer on the scheduled dates.

6. In view of the aforesaid developments, further custodial interrogation of the applicant does not seem warranted. Thus for the reasons which weighed with this court in granting interim protection, the order of interim bail deserves to be made absolute. Therefore, I am inclined to make the order of interim bail absolute.

7. Hence, the following order :

ORDER

(i) The Application stands allowed.

(ii) The order dated 26th September 2024 granting interim bail to the Applicant is made absolute on the terms and conditions incorporated therein.

(iii) The applicant shall henceforth appear before the Investigating Officer as and when directed.

(iv) In the event charge-sheet is lodged, the applicant shall appear before the Jurisdictional Court regularly.

7. Application stands disposed.

(N.J. JAMADAR, J.)