



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.668 OF 2024

Dhanraj Baburao Khedekar

Vs.

State of Maharashtra, Through Police Inspector, Warud Police Station,
District Amravati

-Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. R. Asare, Counsel for the applicant.
Ms. Trupti Udeshi, APP for non-applicant /State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 07/10/2024

1. Apprehending the arrest at the hands of police in connection with Crime No.241/2024 registered with Police Station Warud, District Amravati for the offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by Lokesh Santosh Agrawal alleging that he is running the wholesale grocery shop and the grain shop. There was a transaction between him and the present applicant and the amount of Rs.20,24,493/- was due from the present applicant which was not paid and thus, he was duped.

3. Learned Counsel for the applicant

submitted that from the recitals of the FIR it is apparently reveals that the dispute between the applicant and the informant is of a civil nature. The applicant has already made a part payment however, this FIR came to be lodged. He submitted that the offences punishable under Sections 420 and 406 of the Indian Penal Code are with imprisonment up to the seven years. The custodial interrogation is not required. The applicant is cooperating with the investigating agency.

4. Learned APP strongly opposed the said application and submitted that the custodial interrogation is required for obtaining certain documents and therefore, prayer for grant of anticipatory bail deserves to be rejected.

5. After hearing the learned Counsel for the applicant and learned APP for the State, perused the recitals of the FIR, from which it reveals that the entire transactions revolve around the various documents and the custodial interrogation is required only for obtaining the said documents which can be taken care of by directing the applicant to produce the said documents before the Investigating Officer. As far as the interrogation part is concerned, custodial interrogation is not required. In view of that the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) In the event of arrest, in connection with Crime No.241/2024 registered with Police Station, Warud, District Amravati for the offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code, the applicant **Dhanraj Baburao Khedekar** shall be released on anticipatory bail on executing PR Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned Police Station as and when required for the investigation purpose and shall produce the documents before the Investigating Officer on 10.10.2024.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)