

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 556 OF 2025

Mehul Motilal Jethva

..... Applicant

VERSUS

State of Maharashtra

..... Respondent

Mr. Prem Kumar Pandey a/w. Mr. Pavan Pandey, Ms. Sneha Mishra, Ms. Kajal Mishra, Ms. Kalpana Varkar, Mr. Pravin Kumar Pande for the Applicant.

Mr. Nitin B. Patil, A.P.P. for the State.

Mr. Mohammed Zahid Buff i/b. L.J. Law for the Intervener.

Mr. Bansode, A.P.I., Manpada Police Station present.

CORAM : RAJESH S. PATIL, J.

DATE : 2nd APRIL, 2025

P.C. :-

In the present proceedings on 27th February, 2025 the following order was passed by this Court :-

Dr. Chandrachud, learned counsel for the applicant seeks liberty to add the first informant as a party respondent. Liberty as prayed, is granted. Amendment to be carried out forthwith.

2. After the matter was argued for some time, the learned counsel for the applicant, on instructions submits that to show his bonafide, the applicant is ready to

deposit a sum of Rs.96,54,668/- within a period of three months from today with this Court. He submits that within a period of one week from today, the applicant will deposit a sum of Rs.15,00,000/-.

3. Mr. Buff, learned counsel for the first informant submits that he will take instructions from the first informant as regards the time schedule mentioned by Dr.Chandrachud.

4. The learned A.P.P. submits that there are antecedents against the present applicant. Even in the order and as per the antecedents, a sum of Rs.15 crores is outstanding against the present applicant. He submits that even in the present proceedings while rejecting the anticipatory bail application, the Session Court has observed in paragraph nos. 4, 5 and 6 that once the applicant is granted some kind of protection and he furnishes the cheques and the cheques issued by him are dishonoured.

5. Stand over to **10th March, 2025**. Matter to come up under the caption of '**Urgent Circulation**'.

6. The applicant is permitted to deposit a sum of Rs.15,00,000/- with the Registry of this Court within a period of one week from today.

2. The applicant was supposed to deposit a sum of Rs.15 lacs within a period of one week from 27th February, 2025. On 10th March, 2025 when the matter was called out, again a request was made on behalf of the applicant that he could not deposit the said amount of Rs.15 lacs though time was granted. An indulgence was shown by this Court and the applicant was permitted to deposit a sum of Rs.15 lacs

against an outstanding amount of Rs.96,54,660/- which amount was promised to be deposited by the applicant within three months from 27th February, 2025.

3. Today when the matter is called out, the learned advocate appearing for the applicant submits that the applicant had deposited a cheque of Rs.15 lacs with the Registry of this Court. However, the said cheque on presentation by the Registry was bounced. He submits that time of one week be granted to the present applicant within which time, he will manage to deposit a sum of Rs.10 lacs in this Court and further sum of Rs.5 lacs would be deposited within two weeks from today.

4. The learned A.P.P. and the learned counsel appearing for the first informant has opposed to grant any kind of time to the present applicant. The learned A.P.P. submits that the applicant has been arrested by the Economic Offences Wing (EOW) in an another crime.

5. The learned counsel appearing for the respondent no.2 has handed over a chart of antecedents of the applicant and also ongoing court proceedings against the applicant. The said chart is taken on record and marked 'X' for identification. For ease of reference, a scanned copy of the same is reproduced hereinbelow :-

Coram: Shri Rajesh S. Patil ¹¹
 C ^{2/4/25} ^{02/04} ^(A)
 Date: 02/04/25 ⁸
 For Reg. (J) ^(R)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 CRIMINAL APPELLATE JURISDICTION
 ANTICIPATORY BAIL APPLICATION NO.556 OF 2025

MEHUL MOTILAL JETHIVA ... APPLICANT

VERSUS

STATE OF MAHARASHTRA THROUGH
 SENIOR POLICW INSPECTOR OF MANPADA
 POLICE STATION, THANE ...RESPONDENT

ANTECEDENTS OF THE APPLICANT

Sr No.	Police Station	Fir No. along with provisions	Amount
1	Dombivali Police Station	FIR No. 81/2022 sections invoked 420, 406, 504, 506 along with 34 of the Indian Penal Code 1860.	Rs.46,17,200/- (Rupees Forty-Six Lakhs Seventeen Thousand Two Hundred Only)
2	Dombivali Police Station	FIR No. 304/2022 sections invoked 420, 406 along with 34 of the Indian Penal Code 1860.	Rs.16,50,000/- (Rupees Sixteen Lakhs Fifty Thousand Only)
3	Dombivali Police Station	FIR No. 434/2022 sections invoked 420, 406 along with 34 of the Indian Penal Code 1860.	Rs.1,55,56,800/- (Rupees One Crores Fifty-Five Lakhs Fifty-Six Thousand Eight Hundred Only)
4	Dombivali Police Station	FIR No. 739/2024 sections invoked 420 along with 34 of the Indian Penal Code 1860.	Rs.2,42,19,500/-(Rupees Two Crores Forty-Two Lakhs Nineteen Thousand Five Hundred Only)
5	Dombivali Police Station (Currently under	FIR No. 1023/2024 sections invoked 420, 406, 409, 465, 467, 468, 469 along with 34 of the Indian Penal Code 1860.	Rs.10,40,00,000/- (Rupees Ten Crores Forty Lakhs Only)

	investigation by (FOW)		
6	Manpada Police Station	FIR No.1042/2024 sections invoked 406 and 420 of the Indian Penal Code, 1860.	Rs.96,54,668/- (Rupees Ninety-Six Lakhs Fifty-Four Thousand Six Hundred and Sixty-Eight Only)

ONGOING COURT PROCEEDINGS AGAINST THE APPLICANT

Sr No.	Case Number	Court	Provision	Party Name	Accused Name
1	SCC 2301/2020	JMFC Ulhas Nagar	S/138 of the Negotiable Instrument Act, 1881	Laveena Bharat Somaya	Mehul Jethva
2	SCC 2302/2020	JMFC Ulhas Nagar	S/138 of the Negotiable Instrument Act, 1881	Sneha and Sunita Tiwari	Mehul Jethva
3	SCC 2303/2020	JMFC Ulhas Nagar	S/138 of the Negotiable Instrument Act, 1881	Kailash Ramesh Nagdev	Mehul Jethva and Sunita Tiwari
4	SCC 2304/2020	JMFC Ulhas Nagar	S/138 of the Negotiable Instrument Act, 1881	Sneha Rajesh Prithani	Mehul Jethva
5	SCC 1676/2021	Kalyan		Girish Babu Pujari	Mehul Jethva
6	Misc. Cri. Application 318/2022	Kalyan	S/138 of the Negotiable Instrument Act, 1881	Ashok Nana	Vishwam Properties and Design and Mehul Jethva
7	SCC 1680/2021	Kalyan	S/138 of the Negotiable Instrument Act, 1881	Dinesh	Mehul Jethva, Kalpesh Patel and Bhiwani Shah
8	SCC 1991/2022	Kalyan	S/138 of the Negotiable Instrument Act, 1881	Sujit Kamareddy	Mehul jethva and Kalpesh Patel


 Advocate for the Respondent No.2

6. Considering the acts of the present applicant to whom indulgence was shown by this Court and who has managed to even handover a cheque to the Registry of this Court, when he was aware that there was no balance in the account, the said cheque on presentation by the Registry of this Court was bounced. He is already been arrested by the EOW. **Therefore, there is no merit in the present anticipatory bail application and the same is rejected.**

[RAJESH S. PATIL, J.]