



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

ANTICIPATORY BAIL APPLICATION NO. 2140 OF 2023

Dilip Kundandas Dulani ...Applicant

Versus

The State of Maharashtra ...Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO. 2135 OF 2023

Kamlesh Dilipkumar Dulani ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Ashutosh Gole, a/w Girish P., i/b A&G Legal Associates
LLP., for the Applicant.

Mrs. Ashwini Takalkar, APP for the State/Respondent.

CORAM: N. J. JAMADAR, J.

DATED: 29th AUGUST, 2023

ORDER:-

1. Heard the learned Counsel for the applicants and the learned APP for the State.

2. These applications are for pre-arrest bail in connection with CR No.232 of 2023 registered with Ulhasnagar Police Station, District Thane, for the offences punishable under Sections 420, 406, 506 and 120-B read with 34 of the Indian Penal Code, 1860 ("the Code").

3. The first informant alleged that the applicants induced him to invest a sum of Rs.5,00,000/- by making a representation that he would earn handsome returns. The applicants, however, returned only a sum of Rs.30,000/- and when the first informant demanded the return of the said amount alongwith interest thereon as promised the applicants committed criminal intimidation. Hence, the report.

4. The learned Counsel for the applicants submits that the applicants had availed the amount for the purpose of expansion of the business. There was no intention to deceive the first informant.

5. The learned APP submitted that it has transpired that in a similar fashion the applicants have duped many persons and, therefore, the prosecution has invoked the provisions contained in the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999.

6. The learned Counsel for the applicants, on instructions, submits that to show their *bona fides* the applicants are willing to deposit a sum of Rs.25,00,000/- in this Court within a months time. Rs.10,00,000/- would be deposited

within a week and the balance amount within a period of three weeks thereafter.

7. In view of the aforesaid statement and having regard to the nature of the accusation as well as the age of the applicant in ABA/2135/2023, the applicants deserve interim protection subject to the deposit of the aforesaid amount.

8. Hence, the following order:

: O R D E R :

(i) Let the applicants deposit a sum of Rs.10,00,000/- in this Court within a period of one week from today and a further sum of Rs.15,00,000/- within a period of three weeks thereafter.

(ii) Subject to aforesaid deposit, in the event of arrest of the applicants in connection with CR No.232 of 2023 registered with Ulhasnagar Police Station, District Thane, the applicants be released on bail on furnishing a PR Bond in the sum of Rs.30,000/- and surety in the like amount, each.

(iii) The applicants shall attend the concerned police station on every Sunday in between 10.00 am. to 12.00

noon till the next date and cooperate with the investigation.

(iv) The applicants shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant and any person acquainted with the facts of the case.

(v) Stand over 3rd October, 2023.

[N. J. JAMADAR, J.]