

2023 SCC OnLine Bom 1568

In the High Court of Bombay at Goa  
(BEFORE PRAKASH D. NAIK, J.)

Criminal Application Bail No. 558 of 2023 (Filing)

Manda Suresh Parulekar ... Applicant;

*Versus*

State of Goa, through the Public Prosecutor ...  
Respondent.

With

Criminal Application Bail (Main) No. 559 of 2023 (Filing)

Suresh Vishwanath Parulekar ... Applicant;

*Versus*

State of Goa, through the Public Prosecutor ...  
Respondent.

And

Criminal Application Bail (Main) No. 560 of 2023 (Filing)

Prasad Suresh Parulekar ... Applicant;

*Versus*

State of Goa, through the Public Prosecutor ...  
Respondent.

Criminal Application Bail No. 558 of 2023 (Filing), Criminal  
Application Bail (Main) No. 559 of 2023 (Filing) and Criminal  
Application Bail (Main) No. 560 of 2023 (Filing)

Decided on August 1, 2023

Advocates who appeared in this case :

Mr. Vibhav R. Amonkar, Advocate for the Applicant.

Mr. Pravin N. Faldessai, Additional Public Prosecutor for the  
Respondent.

The Order of the Court was delivered by

PRAKASH D. NAIK, J.:— The applicants are seeking pre-arrest  
anticipatory bail in connection with Crime No. 279/2015 registered with  
the Tardeo Police Station for offences under Sections 409 and 420 read  
with Section 34 of the Penal Code, 1860. The FIR was registered on  
15.05.2023.

2. It is submitted that, the applicants are directors of Reis Magos  
Estate Pvt. Ltd. They are related to each other. The dispute is purely of  
civil nature. Suit for specific performance was filed at the instance of  
the original complainant which is still pending. Initially the parties tried

to settle the dispute. Settlement could not be arrived. Although the substantive cause of action arose in the State of Goa. The FIR is lodged at Tardeo Police Station at Mumbai to pressurise the applicants.

3. Learned Additional Public Prosecutor submits that the FIR has been registered at Tardeo Police Station and it is not clear whether notice has been given to the concerned police station. Learned counsel for the applicant however submits that email has been submitted to the concerned police station.

4. Learned counsel for the applicants has relied upon the decision of this Court in the case of *Nikita Jacob v. State of Maharashtra*<sup>1</sup> and another decision of the Allahabad High Court in the case of *Ajay Agarwal v. State of U.P., Thru. Addl. Chief Secy. Home Lko.*<sup>2</sup>.

5. Without adjudicating into the merits of the case considering factual aspect of the case, protection can be granted for a period of 4 weeks to enable the applicants to approach the concerned court for appropriate reliefs.

6. Hence, I pass the following order:—

ORDER

(i) In the event of arrest of the applicants in connection with Crime No. 279/2019 registered with the Tardeo Police Station, the applicant be released on bail on executing PR bond of Rs. 25,000/- each with one or more sureties in the like amount.

(ii) This protection is granted for a period of four weeks to enable the applicants to approach the appropriate Court for seeking appropriate relief.

7. The applications are disposed of.

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<sup>1</sup> 2021 SCC OnLine Bom 13919

<sup>2</sup> 2022 SCC OnLine All 689