
(2020) 02 RAJ CK 0040
In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 14063 Of 2019

Babita Pediwal And Ors

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 03-02-2020

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 406, 420
Code Of Criminal Procedure, 1973 — Section 438

Citation : (2020) 02 RAJ CK 0040

Hon'ble Judges : Vinit Kumar Mathur, J

Bench : Single Bench

Advocate : Sanjay Mathur, Laxman Solanki, Hari Shanker Shrimali

Final Decision : Allowed

Judgement

This application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with F.I.R. No.591/2019, Police Station Naya Shahr, District Bikaner for the offences under Sections 420, 406 & 120-B of IPC.

Heard learned counsels for the parties. Perused the material available on record.

Learned counsel for the petitioners submits that there is on going business transactions between the petitioners and the complainant. The petitioners are ready and willing to pay the amount towards the goods for which the business transactions have taken place between the parties.

The learned Public Prosecutor supported by learned counsel for the complainant while opposing the anticipatory bail application submit that there is a report of the travel agent with whom the so called substandard consignment was sent back to the complainant but the same was not received by him.

Having regard to the facts and circumstances of the case and upon a consideration of the arguments advanced, this Court is of the opinion that it is a

fit case for grant of anticipatory bail to the petitioners under Section 438 Cr.P.C.

Accordingly, the present anticipatory bail application filed under Section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners (1)Smt. Babita Padiwal W/o Sh. Pawan Padiwal, & (2)Pawan Padiwal S/o Sh. Satyanarayan, in connection with F.I.R. No.591/2019, Police Station Naya Shahar, District Bikaner, the petitioners shall be released on bail; provided each of them furnishes a personal bond in the sum of Rs.50,000/- (Rupees: Fifty Thousand Only) along with two sureties of Rs.25,000/- (Rupees: Twenty Five Thousand Only) each to the satisfaction of the concerned Investigating Officer/ S.H.O. on the following conditions :-

- (I) that the petitioners shall make themselves available for interrogation by a police officer as and when required;
- (ii) that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or any police officer; and
- (iii) that the petitioners shall not leave India without previous permission of the court.