

Abhishek Vinod Bakshi
and Another ...Applicants

vs.

State of Maharashtra ...Respondent

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3. The perusal of the F.I.R. reveals that the same is lodged regarding an incident which had occurred on 21/01/2015 at about 15.00 hours in which the applicant No.2 by giving a call on the mobile of brother of the first informant namely Rakesh called the first informant in his office and after first informant along with his mother had been to the office of the applicant No. 1, applicant No.2 had threatened him of killing in event of failure to bring and pay the amount of Rs. 10 lacs to the applicant No. 1. It also relates to the second incident which had occurred on the next day in which applicant No. 2 had again given abuses and threatening by giving call upon the mobile of the brother of the first informant.

4. The learned counsel for the applicants submitted that the first informant has suppressed the real transaction which had occurred and the one in which the father of the applicant No.1 had

purchased the property at the behest of first informant. It is submitted that after the deal, it was found that they had paid much more amount than the market value of the said property and hence father of the applicant No.1 had called the first informant in his office. It is submitted that the first informant by swearing in the name of his mother has promised to repay back the differences in the price amount. It is submitted that in order to wriggle out such situation, a false complaint has been lodged. It is submitted that the report itself reveals that the first informant was working as an employee with applicant No. 1. It is urged, hence it is difficult to accept that the employer through his associates will threaten as claimed to his employee for paying such huge amount.

5. The order passed by the Court of Session reveals that the investigating agency has recorded the calls giving threats to the first informant.

Having regard to it, it is difficult to accept the prayer for pre arrest bail in which such huge amount was asked to be paid by giving threats of taking the life. The fact of such threatening call received by the first informant being found from the call record, apparently, the custodial interrogation of the applicants would be necessary for ascertaining the reasons for which such demand was made. Merely because the first informant was working as an employee with applicant No.1 by itself would not be a factor for not accepting the report lodged by him of which some part is further found substantiated by record of giving threatening call.

6. Resultantly, there are no merits in the application. Application stands rejected.

(P.D. KODE, J.)