

Anand

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

ANTICIPATORY BAIL APPLICATION NO.415 OF 2015

Sachin Manohar Gaware .Applicant

V/s.

The State of Maharashtra .Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.409 OF 2015

1. Omkar Prakash Talekar .Applicants
2. Suresh Dayabhai Rathod

V/s.

The State of Maharashtra .Respondent

Mr.Vinit Jain i/b. Mr.K.U.Patil, Advocate, for
the Applicants in both matters
Mrs.P.P.Shinde, APP, for the Respondent -
State

CORAM : REVATI MOHITE DERE, J.

DATE : 28TH APRIL, 2015

P.C.

. Heard the learned counsel for the
applicants and the learned APP for the
respondent – State.

2. By this application, the applicants seek pre-arrest bail in connection with C.R. No.I08 of 2015, registered with the Vashi Police Station, Navi Mumbai, for the alleged offences punishable under Sections 420 read with 34 of Indian Penal Code.

3. The learned counsel for the applicants states that the applicants were the employees of M/s. Sea, 2 Sky Indian Human Resources Pvt. Ltd. He submits that in May 2014 an advertisement was issued in the newspaper, in respect of overseas assignments and recruitment in Singapore.

4. It is alleged by the prosecution that on the basis of the said advertisement, the complainant visited the said company and enquired about the vacancies for a welder. The complainant has stated to have met one lady i.e. the owner of the company and asked her about the availability of a job as a Welder.

It is alleged that the owner of the company informed that there was recruitment at Singapore, and that for the said purpose, the complainant would have to pay a sum of Rs. 44,000/-.

5. The learned counsel for the applicants submitted that they had no concern with the company, except the fact that they were employed in the said company. He submitted that even otherwise, the owner of the company has returned the said amount to the complainant.

6. The learned APP has confirmed the said fact. She states that the owner M/s. Sea, 2 Sky Indian Human Resources Pvt. Ltd. has paid the complainant and some other persons, who had made similar grievances. It appears that the applicants were the employees of the said Company and prima facie, they had nothing to do with the advertisement that was given in

the news papers and the actual recruitment process.

7. Considering the peculiar facts of the case, the applicants are granted pre-arrest bail, on the following terms & conditions;

(I) The applicants, in the event of arrest, be enlarged on bail on executing P.R.Bond in the sum of Rs.15,000/- each with one or two solvent sureties in the like amount;

(II) The applicants shall attend the Vashi Police Station, Navi Mumbai as and when called by the investigating officer;

(III) The applicants to co-operate with the investigating agency and shall not tamper or attempt to influence the witnesses or any person concerned with the case;

(IV) The applicants shall inform their latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any,

from time to time to the Court seized of the matter and to the investigating officer of the Vashi Police Station, Navi Mumbai;

8. The applications are allowed in the aforesaid terms and are accordingly disposed of.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)