

Anand

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

BAIL APPLICATION NO.824 OF 2015

Ronald Gomes alias Rony Gomes .Applicant

V/s.

The State of Maharashtra .Respondent

Mr.S.V.Marwadi i/b. Mr.K.S.Garg, Advocate, for
the Applicant

Mr.S.H.Yadav, APP, for the Respondent - State
Mr.Omkar Nagvekar, Advocate, for the
Complainant

CORAM : REVATI MOHITE DERE, J.

DATE : 22ND APRIL, 2015

P.C.

. Heard the learned counsel for the
applicant, the learned APP for the respondent
— State and the learned counsel for the
complainant.

2. By this application, the applicant
seeks his enlargement on bail in connection
with C.R.No.95 of 2015 registered with the
MHB Colony Police Station, Mumbai, for the

alleged offences punishable under Sections 420, 506, 34 of the Indian Penal Code.

3. The complaint has been lodged at the instance of one Francis Ligori Pais. It is alleged in the complaint that the accused represented to the complainant that there is a flat to be sold and that he would arrange loan for the same. Pursuant to the said representation, the complainant is stated to have paid a sum of Rs.10,00,000/- to the accused in the said C.R.. The learned counsel for the applicant states that the parties have amicably settled their dispute. The learned counsel for the complainant has tendered an Affidavit of the complainant, which is taken on record & marked as "X" for identification. The complainant is present in Court. In para 3, 4 & 5 of the Affidavit it is stated as under :-

"3. After registration of the FIR police arrested all the accused persons named by me

including the applicant. Thereafter I came to know that in the police investigation it is discovered that Rs.10 lakh given by me to the accused was distributed between Dion Chevas, Stayvan Tawade and Dilip Kadam and the present applicant has not taken any money from it.

4. After knowing the abovesaid fact I am assured that the present accused has not played any role in the fraud committed by the other three accused on me.

5. Therefore in the premises aforesaid I state that I have no objection if the present accused is released on bail by this Hon'ble Court."

Considering the aforesaid, the applicant is enlarged on bail on the following conditions:

- (i) The applicant be released on bail on his furnishing P.R.Bond in the sum of Rs.15,000/- with one or two solvent sureties in the like amount;
- (ii) The applicant shall inform his 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 Bhiwandi City Police Station, Mumbai;

4. The Application is allowed in the aforesaid terms and is accordingly disposed of.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)