

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Firoz Ibrahim Shaikh	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

CORAM : REVATI MOHITE DERE, J.
DATED : 29th APRIL, 2015.

1. Heard the learned counsel for the Applicant and the learned APP for the Respondent-State.

2. By this application, the Applicant seeks his enlargement on bail, in connection with C.R.No.233 of 2014 registered with the Dharavi Police Station, Mumbai, for the alleged offences punishable under Sections 420, 504, 506 r/w 34 of the Indian Penal Code.

3. The complainant is one Mr.Salman Haji, the Purchase Manager of Parker Migliorin International (P.M.I.), G.M.B.H., having its head office at

Banhofsstras. It is alleged by the complainant that the Company (PMI), was dealing with one Wakil Ahmed, the co-accused and owner of Alfa Chemical and Leather Company and had entered into an contract with the said company in November, 2012. Pursuant to the said contract, the co-accused was to supply 30,000 kgs of buffalo meat to the complainant – company. It is alleged that in lieu thereof, the complainant – company, had paid an advance of Rs.59,66,220/- to Mr.Wakil Ahmed in an Account maintained by him in his personal name, which was equivalent to about 91,788 US Dollars. It is alleged by the prosecution that the present applicant was supplying meat to Mr.Wakil Ahmed. Admittedly, the business transactions are between the complainant – company and Mr.Wakil Ahmed. According to the complainant, as Mr.Wakil Ahmed had not delivered substantial quantity of meat despite promise, the present complaint came to be filed. The applicant has not been named in the FIR, which was lodged on 3rd June, 2014. The only allegation as against the present applicant is that he was the supplier of meat to Mr.Wakil Ahmed.

4. Considering the aforesaid fact and the fact that the applicant has been in custody for more than a 1 ½ month and considering the nature of allegations qua the present applicant, the applicant is entitled to be

enlarged on bail on the following terms and conditions ;

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two 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 Dharavi Police Station, Mumbai ;
- iii) The Applicant shall not tamper or attempt to influence the complainant or any persons concerned with the case;
- iv) The Applicant shall co-operate in the conduct of the trial.
- v) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

5. The Application is allowed and disposed of in above terms.

6. Needless to observe, that the learned Judge shall decide the case on its own merits uninfluenced by the observations made in this order.
7. Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)