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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1325 OF 2015**

Haresh Rajendrakumar Vyas and Anr.

...Applicants

Versus

The State of Maharashtra

...Respondent

Mr.Sandeep C. Kekane, for the Applicants

Ms.Veera Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 9th OCTOBER, 2015

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P for the State.
2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. 184 of 2015 registered with the Antop Hill Police Station, Mumbai, for the alleged offences punishable under Sections 409, 420, 120B of the Indian Penal Code.
3. Learned Counsel for the applicants submits that the main accused Ramesh Parab and Jitendrakumar have been arrested and are

presently in custody. He submits that Ramesh Parab-original accused No. 1 introduced himself to the applicants as the Chairman and Secretary of Ram Kripa Building, Nimish Cooperative Housing Society Ltd., which was situated at Pahadi Village, Goregaon, Mumbai. He submitted that the applicants were told to take the help of some property consultant for the development of the said Project. He submitted that no money has been misused and that the same is in safe custody.

4. Learned APP on the instructions of the Investigating Officer who is present in the Court does not dispute the fact that money is in safe custody, as the account of M/s. Jai Metal has been frozen. She submitted that the allegation essentially as against the applicants is that the applicant no.1 has handed over a Demand Draft which was taken from accused no.1 to Rajesh Jain who then handed over the same to one Debashish. She states on instructions, that charge sheet has been filed as against accused nos.1 and 2.

5. Considering the fact that money is secured and nothing is to be recovered and the nature of allegations qua the present applicants, the

applicants are granted pre-arrest bail on the following terms and conditions :-

ORDER

(i) In the event of the arrest, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount;

(ii) The applicants shall attend the concerned Police on every Saturday, between 10.00 a.m. to 12.00 noon, till the filing of the charge sheet ;

(iii) The applicants shall cooperate with the investigating agency and shall not tamper or attempt to influence the complainant or any witness 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 concerned Police Station;

(v) The applicants to cooperate with the conduct of the trial.

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

7. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.