

alight a red Scorpio vehicle at Dr. Ambedkar Road and brought him to hotel Ambrosia near Ulhasnagar railway station. It reveals that first informant was told that the said unknown persons were demanding Rupees five lakhs and telling that they would not relieve him unless the money is spared. Father of the first informant had told him to make arrangements of the money and to come at the said place. It reveals that thereafter first informant had asked his brother Shehbaaz and colleague to go Vitthalwadi railway station and ascertain whether any red scorio was at the said place.

3. Further part reveals that first informant received another call at about 2.30 p.m. from his father enquiring whether the money was arranged and upon first informant informing that it is yet not, his father had asked him to arrange for the money at the earliest and his life was in danger. It reveals that another call was received at 4.45 p.m. and upon the first informant informing that money has been arranged and where he should bring thereon he had asked him to come at Ulhasnagar Station, etc. It reveals that during further call first informant was asked to come at hotel Ambrosia.

4. It further reveals that in meanwhile Shehbaaz Kureshi brother of first informant had called him and informed that they had traced the said red scorio and informed its number and other

identification. He had also informed that father of the first informant was in the said car and four to five unknown persons were accompanying him. Thereafter the first informant had approached police station as his brother informed that after repairing the scorpio they had left the said place and due to fear he could not follow them. Further part of the FIR reveals that at 11.30 p.m. again call was received by him from his father about the arrangement of the money. Hence he had lodged the report.

5. Charge-sheet reveals that police after receipt of the information from the source that said scorpio car was on Bhiwandi bypass, Bombay Agra Road, the police had been to the said place at that time. There was attack on the police from the said four to five persons occupying said car. Father of the first informant was found in the said car. After completion of investigation the police had submitted the charge-sheet against the Applicant and others.

6. Thus, after considering sequel of events and the apprehensions entertained by first informant, it is difficult to accept the submission that since there is twenty two hours delay in lodging FIR after the father of the first informant is said to have been kidnapped shows a false case has been filed against the Applicant.¹

7. Similarly, considering the sequel of the events and

particularly the statement of the victim i.e. father of the first informant and the material therein being confined to threats being given but not himself being attacked merely because no injury certificate of victim is annexed with charge-sheet would not be a good ground for drawing an inference that the case is concocted. The same is the case regarding the third submission canvassed that during the course of investigation no conversation ensued in between the Applicant demanding the ransom being recorded. As a matter of fact considering the material in the charge-sheet and the same squarely reveals that the said five persons were acting in furtherance of their common object and /or common intention and thus, every one of them being liable for the act committed by his companion, merely because there is no such conversation recorded would not be a good ground for entertaining prayer for bail in such a serious offence. Same is the case regarding the last ground canvassed of no weapon being found in the hand of the Applicant at the time of his arrest.

8. Since there are no merits in the application and since offence is of very serious nature, hardly any material is placed before the Court for doubting the version of the first informant or the victim, application stands rejected.

(P.D. KODE, J.)