

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

ANTICIPATORY BAIL APPLICATION NO.101 OF 2016

Jayendra Pravinchandra Jhaveri ...Applicant

V/s.

The State of Maharashtra ...Respondent

Mr.Subhash Jha a/w Mr.Sandana Perdeshi i/by Law Global for
the Applicant.

Ms.S.S. Kaushik, APP for Respondent-State.

CORAM : N. W. SAMBRE, J.

DATE : 28th NOVEMBER, 2016.

P.C.

1. The applicant is seeking pre arrest bail in Crime No.173 of 2014 registered with Colaba Police Station, Mumbai for the offences punishable under Sections 420, 465, 467, 468, 471 read with 34 of the Indian Penal Code for an alleged incident dated 05th November 2014 to 22nd December 2014.

2. The prosecution story as reflected in the FIR is that the property being building no.61 and 63 was entirely demolished under the pretext of carrying out certain repairs and by inserting list of 24 tenants. A proposal for redevelopment is shown to have been

approved.

3. The applicant is shown to be a purchaser of the said building, holding for some time and then re-transferred it to the third party.

4. After the offence came to be registered in 2014, the applicant remained on protection throughout but for a rejection order suffered from the Sessions Judge. The applicant along with the documents pursuant to the orders of this Court has already appeared before the investigating officer and has co-operated as is apparent from the various orders as could be noticed in the present proceedings.

5. What could be gathered from the investigation papers and the other material is that the entire offence/allegations against the applicant is based on documentary evidence which is very much available for the investigation and that the applicant has also co-operated with the investigation. The documents which are the basis of the crime in question are also available to the investigating agency. In view thereof, in my opinion, a case for confirmation of the ad-interim protection is made out.

6. In the event of arrest, the applicant be released on P.R. Bond of Rs.15,000/- with one or two sureties in the like amount.

7. The applicant shall attend police station as and when called for.

8. The applicant shall not tamper with the evidence or witnesses in any manner whatsoever.

(N. W. SAMBRE, J.)