IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.479 OF 2016

1) Mrs.Samriti Vikas Anne
2) Muralikrishna Anne ... Applicants

Vs.

The State of Maharashtra & anr. ... Respondents

Mr.Prashant Gavai i/b Rishi Bhuta for the Applicants
Ms.S.S. Kaushik, APP, for Respondent – State
Mr.Laxmikant Salunkhe, API, Property Cell, DCB, CID, Mumbai

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **MARCH 15, 2016**

P.C.:

1. This application is moved for pre-arrest bail as the applicants are prosecuted for the offences punishable under section 420 r/w section 34 of the Indian Penal Code in C.R. No.20 of 2016 registered at Aare police station, Mumbai, at the instance of one Dhiraj Babaram Gedam on 17.2.2016. The applicant-accused No.1 is the wife of the principal accused Vikas Anne. Applicant No.2 is the father of principal accused Vikas Anne. It is the case of the complainant that he wanted to start a business in green technology and he wanted finance of Rs.6 crores. He alongwith some other persons decided to launch that venture. At that time, the principal accused Vikas Anne met him and he promised them that he would arrange for finance of Rs.6 crores. They believed him. He

showed them photographs of his house, the hotel which he wanted to buy. However, he informed them that some of his work is in the last stage and he required some money for making Safe Keeping Receipts (SKRs) as he had invested Rs.35 crores in HDFC Bank. The applicant-accused No.2 is the father, who requested the complainant to help his son and, therefore, the complainant and his business associates gave him from time to time a total amount of Rs.40,26,000/-. However, they found that the applicants-accused were unable to arrange for the finance of Rs.6 crores and did not contact him thereafter. They tried to avoid them and, therefore, the complaint was lodged.

2. The learned Counsel for the applicants-accused submitted that they have not committed any offence. They are not involved in any kind of cash transactions or fraud.

3. The learned Prosecutor submitted that during the course of investigation, no incriminating role is attributed to the applicants-accused, however, the principal accused has no permanent place of residence. Further, the applicants-accused keep travelling from one place to another throughout India and hence, they are implicated in this case. She has informed that the principal accused Vikas Anne is arrested. The learned Prosecutor, on instructions, submits that Rs.6 lakhs to 7 lakhs was deposited in the account of the applicant-accused No.1.

4. In view of the above, I grant anticipatory bail to the applicants-accused on the following terms:

i) In the event of arrest, the applicants-accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.30,000/- each, with one or two solvent sureties in the like amount;

ii) The applicants-accused shall not tamper with the evidence or pressurise the complainant;

iii) The applicants-accused shall not indulge into any criminal activity;

iv) The applicants-accused shall not abscond or leave India without prior permission of the Court and furnish their permanent address(s) to the Investigating Officer alongwith documentary proof as also the addresses of three relatives each with proof of their identity;

v) The applicants-accused shall cooperate with the Investigating Officer and the attend the concerned police station on every Monday, Wednesday and Saturday between 11am to 12 noon, for a period of two months from today;

vi) In the event of breach of any of the above conditions, the prosecution will be at liberty to move the Court for cancellation of bail.

5. Anticipatory Bail Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)