

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 711 OF 2016

Sumit Samrat Singh & Anr.	...	Applicants
Vs.		
The State of Maharashtra	...	Respondent

Mr. Pravin H. Padave, Advocate for the applicants.
Mrs. S.S. Kaushik, APP for the State.
Mr. Dipak R. Gavkar, P.S.I., Amboli Police Station, Mumbai present.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **20th April, 2016.**

P.C.:

This Application is moved for pre-arrest bail, as the applicant/accused is facing prosecution under sections 420, 465, 468 r/w. 34 of the Indian Penal Code in C.R. No. 336 of 2015 registered with Amboli Police Station, Mumbai. The offence is registered at the instance of Harishchandra Liladhar Gavar

2. it is the case of the prosecution that the nephew of the informant who was undergoing a training in Marine Institute came in contact with the applicant/accused Sumeet Samrat Singh. The applicant/accused assured him job on ship and demanded Rs.3 lakhs. The complainant and his relatives raised the funds and his nephew paid Rs. 3 lakhs in May, 2015. Thereafter the applicant/accused handed over visa of Turkey and sent him to Turkey by plane. On 5th May, 2015 Monukumar informed his father that he joined one S.M. Ship Pvt. Ltd. He was in contact with them for nearly

55 days and from 28th June, 2015 the family members of Monukumar lost contact with him. So the informant found the location of Ship Justrima which was near Spain. The complainant got information from internet that three Indian boys and six citizens of Siriya were arrested by Spanish police. It is the case of the prosecution that still Monu Kumar Singh is arrested and with Spain police. It is alleged that applicant/accused Sumeet Singh and co-accused Vivek have conspired, forged the letter head of SM Ship Management Pvt. Ltd. and prepared agreement of Monukumar, Mohd. Ahmed Ansari and Rahul Shahi and accepted total amount of Rs. 9 lakhs and have cheated them by giving bogus employment.

3. The learned counsel for the applicants/accused submitted that there was a promissory letter signed by all the candidates before they left the country that they agreed to work on the vessel by name M/V Eider. He submitted that applicants/accused are innocent and they have not committed any offence.

4. Learned APP submitted that the police require the custody of these applicants/accused, as all the three boys are arrested and still with Spanish police. She submitted that the said ship was apprehended by Spanish police because it was carrying 15.7 tons of narcotics.

5. Perused the FIR, report of the police. The manner in which the offence is committed and the appointment letter discloses that they were supposed to join one M/V/ Eider, however, when they went to Turkey they were asked to work with Ship Justrima which was carrying counterband and now three Indian boys are with Spanish police. Considering this, I am not inclined to give protection to the applicant/accused. Hence, the Application for Anticipatory Bail is rejected.

(MRIDULA BHATKAR, J.)