

*Ladda*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1119 OF 2016

Tabrez Azim MansooriApplicant

Vs.

State of Maharashtra ...Respondent.

Mr Shailesh Kantharia & Legal Assoc. for the applicant.
Mr A.S. Patil, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE :- 1st October, 2016

P.C.

1) This is an application under section 438 of Code of Criminal Procedure for pre-arrest bail in CR No. I-205/2016 dated 24/4/2016 registered with Mumbra Police Station, District Thane under sections 420, 504, 506 read with 34 of the IPC.

2) The first information report is lodged by Shri Shakil Abdul Shaikh. It is stated in the first information report that the applicant along with other accused persons misrepresented the complainant that, they will provide him a job with handsome salary and will also make him a trustee of the trust to be established by the accused persons. The complainant was initially lured by the false promises and assurances and subsequently was compelled to make payment of Rs.28,00,000/- in total to the accused persons. After a lapse of substantial period the accused

persons neither provided him a job as assured nor made him a trustee of the alleged trust. In the circumstances, the first information report is lodged. In the first information report, itself the complainant / informant has stated that the applicant had admitted that he received Rs.11,00,000/- in the present crime.

3) During the course of investigation, the police arrested accused no.1 Smt. Mariyam Jalal @ Parvin Mastan Kadri @ Maasab and it is further revealed that the applicant is the beneficiary of Rs.11 lakhs in the present crime. It further appears from the record that an amount of Rs.2,19,000/- is deposited by the complainant in the account of the applicant by way of cheque. Prima facie it appears that there is sufficient material to proceed against the applicant. That unless and until the applicant is custodially interrogated the entire truth behind the crime cannot be unearthed.

4) After taking into consideration the serious allegations against the applicant, gravity of the offence and the need of his custodial interrogation, in my considered view, this is not a fit case to grant pre-arrest bail.

5) The application is accordingly rejected.

(A.S.GADKARI, J.)