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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1483 OF 2016

Vinod Kumar G. Shukla

...Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. C.R. Mishra for Applicant.

Ms. J.S. Lohakare, APP for State.

CORAM: A.S. GADKARI, J.

DATE : 25th August 2016.

P.C.

1 The applicant is apprehending arrest in CR No.72 of 2016 registered with Colaba Police Station, Mumbai under Section 420 read with 34 of the Indian Penal Code.

2 The first information report is lodged by Mr. Nitin V. Salian on 7.5.2016. He has stated that on the date of incident at about 8.15 p.m. he had been to Gateway of India by four wheeler car. That when he was trying to locate the place for parking his car near Taj Hotel, a person by name Samsher approached to him and stated that he is a employee of the Contractor of Pay and Park place and he will charge Rs.60/- for parking

vehicle for 15 minutes. The said person accepted Rs.60/- in respect of the said car and issued receipt bearing bearing No.6434. The complainant noticed that though Rs.60/- was collected from him by the said person, however, the receipt to that effect is of Rs.50/-. The complainant therefore approached the police. The police jotted down the report of the informant and also seized the said receipt. In the premise the first information report is lodged.

3 Heard the learned counsel for the applicant and the learned APP for the State. I have also perused the papers of investigation pertaining to the present crime.

It is to be noted here that during the course of investigation, it is revealed that the person namely Samsher is an employee of the applicant. It is further revealed that the receipt issued to the complainant bearing No.6434 is a duplicate/bogus receipt having no table of schedule of parking charges. It has been further revealed that at the instance of the applicant, two receipt books were printed out of which one receipt book is genuine and another is duplicate/bogus. That after the duplicate receipt book was exhausted under the instructions of the applicant the empty books were thrown in sea or destroyed by said Samsher. It is further revealed by the police that the applicant is the beneficiary of said money and he is

instrumental in the said along with Mr. Anoop Chavan.

4 The investigation so far carried out reveals that the applicant along with other two co-accused has defrauded the Municipal Corporation by taking undue advantage of gullible persons who intend to park their vehicles on a public place. After taking into consideration the serious allegations against the applicant and the gravity of the offence, I am of the view that unless the applicant is custodially interrogated further investigation in the present crime is not possible. I find no merits in the present application and is accordingly dismissed.

(A.S. GADKARI,J.)