

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1953 OF 2015

Mohammed Rizwan Umar Siddiqui ... Applicant

vs.

The State of Maharashtra ... Respondent

Ms. Noorseema M.U. Baig, for the Applicant.

Mrs. Rutuja Ambekar, APP for Respondent – State.

API. Mr. Kiran Pagare, Nagpada police station present.

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

DATE: **15th MARCH, 2016**

P.C.:

. The application is moved for pre arrest bail as the applicant/accused is facing charges for the offences punishable under Sections 465, 467, 468, 471, 420, 506 and 120-B of the Indian Penal Code in C.R. No. 363 of 2015 registered with Nagpada police station, Mumbai. The offence is registered at the instance of one Mohd. Reza Pakhanejad on 4th September, 2015.

2. It is the case of the prosecution that Shabnam Ansari, the wife of the applicant/accused was the employee of the complainant. She was assigned the work of keeping accounts and information in

respect of his bank account transactions. The complainant trusted her as she was a poor lady with family. So he gave her the premises to stay. However, on 4th August, 2015 he realized that the amount of Rs. 15 lacs was diverted from his account of ICICI Bank to the account of Shabnam Ansari. Thereafter, subsequently he realized that in the month of August, 2015 on various dates few amounts were withdrawn from his account by using his cheque book and his forged signature. Thus as per the case of the complainant in total he suffered a loss of Rs. 44 lacs and it was done by the wife of the applicant/accused with the help of applicant/accused. Hence, he lodged the complaint.

3. The learned counsel for the applicant/accused submitted that the applicant/accused has not played any role in this case. Hence, he is to be granted pre arrest bail.

4. The learned prosecutor on instruction submitted that the main accused i.e. lady Shabnam Ansari who is the wife of the present applicant/accused has surrendered before the police and she is in custody.

5. Considering the above submissions, so also after going through the first information report, it is found that in the first information report as well as in other documents, no specific role is attributed to the present applicant/accused. The main accused lady has already surrendered before the police. The applicant has already granted interim pre arrest bail by an order dated 4th January, 2016 by this Court. Hence, the earlier interim bail granted to the applicant /accused is hereby confirmed on the same terms and conditions except the condition of attending the police station. Now the applicant is directed to attend the investigating officer of Nagpada police station on every Thursday between 6.00 pm to 8.00 pm till filing of the charge-sheet or for two months, whichever is earlier.

6. As requested, the applicant/accused is allowed to withdraw the written complaint filed by his wife Shabnam Khanam Ansari after replacing a photocopy of the same with the Registry.

(MRS.MRIDULA BHATKAR, J.)