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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 69 OF 2017

Ramesh Sadashiv Kadam

...Applicant

vs

The State of Maharashtra

...Respondent

.....

Mr Prashant Phopale a/w Mangesh Bhogale i/b PMH Law for the
Applicant

Ms J.S.Lohokare APP for the Respondent.

Mr. L.G.Thate, PSI Sahar Police Station, Mumbai.

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**CORAM : SMT SADHANA S. JADHAV, J.
13 JANUARY, 2017**

P.C. :

Heard. This is an application under Section 438 of the Code of Criminal Police Station, 1973. The Applicant herein is apprehending his arrest in Crime No.195 of 2016 registered at Sahar Police Station for the offence punishable U/s 420 r/w 34 of the Indian Penal Code.

2 It is the case of the prosecution that on 16 February, 2016, Taher Ali Husen Gohil they were to report to the Police Station alleging that on 2 December, 2015 he was travelling to Mauritius along with his wife. He was travelling by Seychelles airlines. At the boarding counter, one person who was the staff member had approached him and had asked him as to how much of Indian currency he was carrying. The complainant had stated that he was

carrying Rs.20,000/-. The person told him that he cannot carry Rs.20,000/-. He had also informed the Applicant that he is carrying excessive luggage beyond permissible luggage. According to the Applicant the said person had taken away Rs.20,000/- from him. Since they were to travel abroad, they had no time to lodge the report. After returning to India, he had approached Sahar Police Station and lodged a report.

3 It appears from the record that initially police had not taken any cognizance of the same and had registered the offence on 1 July, 2016 against the unknown persons.

4 The Applicant herein is working with Guest Services Agency of Ethiad Airways. The Applicant who was initially suspended from service and thereafter has been reinstated. It is pertinent to note that when the complainant had approached the office of Guest Services Agency, he saw the applicant and had immediately informed his employer that this was the person who had taken Rs.20,000/- from him by cheating. It is, in these circumstances, that the Applicant is not deserving relief pre-arrest bail. The Application is without any merits and stands rejected.

(SMT SADHANA S. JADHAV, J.)