IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1194 OF 2017

Rohit Ratan Singh @
Rahul Sharma & Anr. .. Applicants
Vs.
The State of Maharashtra .. Respondent

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Ms.Rohini Dandekar, Advocate for the Applicants.
Mrs.Veera Shinde, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : JULY 12, 2017.

P.C. :

The applicants are in jail in connection with C.R. No.159 of 2014. The offence is registered with M.H.B. Colony Police Station, Mumbai for the offences punishable under Sections 419, 420, 465, 467, 468 and 120 B read with Section 34 of the IPC and under Section 66(C) and 66(D) of the Information Technology Act, 2000. The applicants were arrested on 13th February, 2015. The investigation is completed and charge-sheet is filed.

2 The case of the prosecution is that the informant had

purchased the mutual funds of Reliance Company. He received telephone call from the said company and he was given an advice of purchase of Life Insurance Money Multiplier Plan. The informant purchased the said policy. Yearly installment was Rs.29,992/-. He used to pay the installments regularly. In April 2013, he received call from accused Rajeev Agarwal. The informant was informed that he is General Manager in the Reliance Life Insurance Company and he had received complaint from customers that the agents are not providing proper services to the customers. He told the informant that the bonus amount was credited in the account of the customers and informant is required to purchase insurance policy for the year 2013-14 for getting bonus and the informant should issue cheque to the Delhi office of the Reliance Insurance in favour of co-accused Mohd. Akram. The informant issued cheque for purchasing policies. He was assured that the amount will be received by him after cancelling all policies. However, instead of purchasing policy of Reliance Life Insurance, the accused purchased policy of another company. The policies were not cancelled and he was required to pay policies for three years. The informant tried to contact the accused but did not respond. The accused prepared plan and told the informant that bonus was declared in favour of the informant and in order to get bonus all the accused in collusion with each other contacted the informant. The accused were not the officers of Reliance. However, they pretended to be so. The complainant, therefore, was cheated by the accused. It is alleged that one Anki Sahadev was the main person who used to collect the information of policy holder of Reliance Company from the co-accused Mohd. Akram and used to contact customers without any authority by giving call on their mobile phone. He used to run Insurance Policy Call Centre and the other accused had acted in collusion with him. it is alleged that the co-accused Mohd. Akram with the help of applicant no.1 had deposited cheque in the sum of Rs.8,95,940/- in the name of Pramila Singh, who is mother of applicant no.1.

3 The investigation is completed and the charge-sheet has been filed. The learned advocate for the applicants submits that the applicants were employee with main accused Anki Sahadev. It is further submitted that the co-accused who has played an important role namely Mohd. Akram Nihaludin has been granted bail by this Court. It is also submitted that another accused Balmukund Shrivasta also granted bail by this Court. The applicants are in custody since February 2015 and no

purpose will be served by keeping them in custody. It is also submitted that the applicants have been granted bail in connection with the case which is registered at Nagpur where the accused in the present case are also involved.

4 Perused all the documents on record. It is true that the applicants had participated in the alleged transaction. The applicants, however, appears to be the employee of Anki Sahadev. Two other persons involved in the same crime have also granted bail. The applicants are in custody since 13th February, 2015.

5 Investigation is completed and charge-sheet has been filed. Charge has been framed. The first witness is under examination. However, it may take some time to conclude the trial. Considering the fact that the applicants are in custody since long period of time, bail can be granted to the applicants.

6 Hence, I pass the following order:

:: <u>O R D E R</u> ::

(i) Bail application No.1194 of 2017 is allowed;

(ii) The applicants are directed to be released on bail in connection with C.R. No.159 of 2014, registered with MHB Colony Police Station, Mumbai, on furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two solvent local sureties in the like amount;

(iii) After the release from jail, the applicants are directed to report MHB Colony Police Station, Mumbai, on first Monday of the month between 11.00 a.m. to 1.00 p.m., till further orders;

(iv) The applicants shall not tamper with and/or influence the prosecution witnesses;

(v) Bail Application is disposed of accordingly;

(**PRAKASH D. NAIK, J.)**