

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1638 OF 2016

1. Tushar Shahaji Chaudhari
2. Wasin Mohammed
3. Ahmed Basha Shaikh

...Applicants

Versus

State of Maharashtra

...Respondent

.....

Mr.R.D.Soni a/w Mr.Sujay N. Gawade and Ms. Anita Dubey i/b. Shree & Co., for the Applicants.
Ms.Sharmila Kaushik, APP for the Respondent-State.

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CORAM : MRS.MRIDULA BHATKAR, J.
DATE : 27th February 2017

P.C.:

1. Pursuant to the order dated 24th February 2017, the Investigating Officer Mahesh Pandurang Manore, PSI, Economic Offences Wing, Unit-II, Navi Mumbai has filed an affidavit dated 24th February 2017, wherein he has specifically mentioned that in this CR No. 135 of 2016 registered with APMC police station, all 54 victims were involved and none of them availed or enjoyed any of the benefits i.e. Holiday Packages from the company of the accused i.e. Priority International Holidays Club Pvt. Ltd. He has given a list of the customers/claimants alongwith the chart of amount received by them and the balance amount which is as under :-

APMC Police Station CR No. I 135/2016, Navi Mumbai				
Sr. No	Name	Amt	Recd. Amt	Bal Amt
1.	Naresh Zarannappa Kawale	95000	95000	
2.	Mohmmad Maksud Ahmad	115000		115000
3.	Arpit Rajesh Goyal	90000	75000	15000
4.	P Sabrinath	110000	95000	15000
5.	Jagdishchandra Prajapat	80000	80000	
6.	Anjankumar Satyaranjan Mukharji	150000		150000
7.	Ankur Kamalakant Updhyay	89000		89000
8.	Anand Basantkumar Hamirbashi	95000		95000
9.	Vipinchandra Ramrao Kasale	85000	85000	
10.	Shripad Vasant Raut	50000		50000
11.	Gauri Yogesh Raje	75000		75000
12.	Raosaheb Vyanku Kambale	80000		80000
13.	Anuja Sahil Nerula	115000		115000
14.	Harish Chunilal Madan	135000	55000	80000
15.	Niraj Gyanchandra Jain	150000		150000
16.	Ranjana Anil Singh	15000		15000
17.	Namrata Vaibhav Vengurlekar	100000	70000	30000
18.	Sudha K Suresh	100000		100000
19.	Pramod Prabhakar Pawar	100000		100000
20.	Shirish Dattatray Kendre	50000		50000
21.	Rajesh Manohar Mali	110000		110000
22.	Ravindra Gayachand Behara	103000		103000
23.	Aanand Gautam Jadhav	110000		110000
24.	Richa Rachit Sarin	125000		125000
25.	Rohan Suryakant Pawar	47500		47500
26.	Smita Harish Hedao	80000		80000
27.	Sheron Desouza	50000	50000	
28.	Minakshi Rajiv Singh	80000		80000
29.	Sachin Namdevrao Kagane	95000		95000
30.	Namrata Sukrut Shastri	47000	45000	2000
31.	Mangal Arvind Desai	105000	105000	
32.	Ajay Shashikant Kamulkar	50000		50000
33.	Vishalakshi Santosh Kangule	75000		75000
34.	Supriya Sachin Borhade	80000		80000
35.	Amit Purushottam Dhole	110000		110000
36.	Nayana Mahesh Sorode	120000		120000
37.	Rajkumar Dattatray Shivthare	99000		99000
38.	Anupam Shivaji Katiyar	125000		125000
39.	Mahendra Liladhar Gajara	75000		75000

40.	Shridevi Hanmant Kattimani	45000		45000
41.	Vasishta Surendrakumar Vanave	50000		50000
42.	Rameshkumar Dipchand Motwani	99000		99000
43.	Ajaykumar Santoshkumar Bandopadhyay	100000		100000
44.	Neha Kusummankar Mishra	80000		80000
45.	Yogendrasingh Koksingh Kushawah	125000		125000
46.	Bhushan Somanna Nadgere	160000		160000
47.	Hrushikesh Shivaji Nirmal	65000		65000
48.	Kavit Dinesh Jagtap	75000		75000
49.	Abhaya Rajendraprasad Gupta	156205		156205
50.	Swagat Mihirranjan Purkayastha	55000		55000
51.	Dipak Mulji Deliwala	70000		70000
52.	Lalit Virandrakumar Tripathi	135000		135000
53.	Vyankatesh Amanji Dornal	70000		70000
54	Ranjit Benipal	125000		125000
	TOTAL	4975705	755000	4220705

This is a list of 54 persons. The balance amount comes to Rs. 42,20,705/-.

2. The learned counsel for the applicants-accused submits that an amount of Rs. 83,81,672.79 are lying in two accounts of the company i.e. Priority International Holidays Club Pvt. Ltd. with HDFC Bank, Pune Branch, Pune. He further submits that amounts are to be paid to the witnesses /aggrieved persons / bonafide investors/ customers. The amount is of Rs.42,20,705/- which can be satisfied. Earlier in Anticipatory Bail Application No.1639 of 2016, a similar order was made as the applicants-accused gave their willingness to satisfy the due

amount of Rs.9,82,500/- to the complainant and other witnesses. Thus, on the same line, I allow this application for pre-arrest bail on the following terms and conditions:

ORDER

- (i) The applicants-accused shall give a letter to the Investigating Officer and the Bank informing their willingness to withdraw an amount of Rs. 42,20,705/- for the repayment to 54 claimants in this C.R. as shown in the chart.
 - (ii) The Bank is directed to return the amount to each of the persons as mentioned in the chart.
 - (iii) The applicants-accused be enlarged on bail on furnishing PR. Bond in a sum of Rs. 30,000/- each with one or two sureties in the like amount.
 - (iv) The applicants-accused are directed to attend the concerned police station as and when called, till the filling of the charge-sheet.
3. Anticipatory Bail Application stands disposed of in the above terms.

(MRIDULA BHATKAR, J.)