

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

ANTICIPATORY BAIL APPLICATION NO.2160 OF 2016

Nawab Ali Wajid Ali Shaikh Vs. State of Maharashtra

WITH
ANTICIPATORY BAIL APPLICATION NO. 218 OF 2017

Mehbooh Ali Shaikh Vs. State of Maharashtra

**Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.**

Court's or Judge's orders

Mr. Sujit Shelar a/w Atul Jawale i/b APS Law Assoc. for applicant.
Mr. R.M. Pethe, APP for State.

CORAM : A.S. GADKARI, J.

DATE : 26th April 2017.

P.C.:

1] The applicants are apprehending arrest in CR No.I-409 of 2016 dated 25.8.2016 registered with Mumbra Police Station, District Thane under Sections 420, 406 of the Indian Penal Code and under Section 66(d) of the Information Technology Act.

2] The first information report is lodged by Tavvar Ajhar Khan. It is stated that the applicants have induced him to invest a sum of Rs.7,20,000/- in the Company namely www.starglobalvideo.com which belongs to co-accused on the promise that the first informant will get huge return on the said investment. That initially the first informant received Rs.91,910/- towards interest/profit, however, thereafter the

applicants and the co-accused neither paid him any profit nor refunded his principal amount. It is alleged that the applicants had lured and instigated the first informant in parting with the said huge amount for and in favour of the co-accused. In the premise the first information report is lodged.

3] The learned Counsel for the applicants submitted that in fact the applicants are victims of the crime. That they did not receive or accept any amount from the first informant and the amount paid by the first informant was deposited in the aforesaid Company. He submitted that the applicants have nothing to do with the present crime and that only with view to pressurized them, their names have been mentioned in the first information report. It is therefore prayed that the applicants may be granted pre-arrest bail.

4] I have perused the record of investigation. It clearly reveals from the record that the applicants had induced the first informant in parting with the said huge amount and invest in the aforesaid Company. The applicants appeared to be the agents of other accused persons and induced the first informant to invest the amount in the said company. Investigation of the crime is at nascent stage. The first informant has categorically attributed role of the present applicants as stated hereinabove in the present crime.

5] After taking into consideration the serious allegations against the applicants and the gravity of offence, this Court is of the view that, the applicants does not deserve to be granted pre-arrest. Both applications are accordingly rejected.

(A.S. GADKARI, J.)