

Dond

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

ANTICIPATORY BAIL APPLICATION NO. 959 OF 2018

Sanjay Jayantilal Chandawat & Ors

..Applicants

Vs

The State of Maharashtra

..Respondent

Mr. V.P. Sangvikar for applicant.

Mr. Amit Palkar, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 22nd November 2018.

P.C.:

1] By an Order dated 11th May 2018, the plaintiffs were granted interim relief on the basis of a statement made by the learned counsel for the applicants on instructions that, the applicants will co-operate in the process of investigation, inter alia, applicants will help the Investigating Agency in recovering alleged steel coils received by them in the present crime.

2] Perusal of record of investigation would indicate that, though the applicants attended the Investigating Officer, did not co-operate the Investigating Agency in recovering the said property. It is the prosecution case that, co-accused Mukesh Shukla has committed criminal breach of

trust of first informant and without permission and/or consent of the first informant has shifted the alleged steel coils from Rishabh Digha Cutter, Talaja M.I.D.C., Navi Mumbai and after committing the said criminal act, has deposited the said coils with the applicants. It is the prosecution case that, the applicants are the receiver of the steel coils or the property involved in the present crime. The learned APP submitted that, till date three steel coils are to be recovered from the applicants.

3] After taking into consideration the conduct of the applicants, as noted earlier and since the said three steel coils are yet to be recovered and since the applicants have clearly failed to comply with their statement made by them before this Court while getting interim relief, this Court is of the view that the applicants do not deserve to be protected by pre-arrest bail.

4] In view of the above and after taking into consideration the serious allegations against the applicants, this Court is of the view that the applicants do not deserve to be protected by pre-arrest bail.

Application is accordingly rejected.

(A.S.GADKARI, J.)