

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

BAIL APPLICATION NO. 1293 OF 2018

Amit Krupaldas Walwani

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Nagman Ali a/w. Mr. Ganesh Gupta I/b. Mr. Ajinkya M. Udane
for the applicants.

Mr. S.R. Agarkar, APP for the State.

Mr. Nandraj Tukaram Gabhale, Police Sub Inspector, Hinjewadi Police
Station, Pune present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 31th AUGUST, 2018.

P.C.:

. This is an application for bail under Section 439 of Criminal Procedure Code filed by the aforesaid applicant, who has been arrested in C.R.No.125/2018 registered at Hinjewadi Police Station, District Pune for offences punishable under sections 489B, 489C, 489D, 489E r/w. 34 of the Indian Penal Code.

2. Heard Mr. Nagman Ali, learned counsel for the applicant and Mr. S.R. Agarkar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The afore stated crime was registered pursuant to the first information report lodged by one Jyotiram Nagmode. The first information report reveals that on 11/03/2018, at about 08:00 p.m., the applicant who is also a vegetable vendor had given the first informant a hundred rupee note. The applicant had told him that he had received that note from another person. The first informant suspected that the note was counterfeit. He, therefore, reported the matter to the police. The applicant was apprehended on the same date and his personal search was taken. 47 counterfeit notes of Rs.100/- denomination were recovered from his possession. It is the case of the prosecution that the applicant herein also had in his possession, machinery and instrument for making counterfeit notes.

4. The only material collected by the investigation agency is a printer-cum-scanner of HP company, which is otherwise readily available in almost every residence or office. There is *prima facie* no material on record to show that the said printer was used or could be used either to print forged or to counterfeit currency notes. Furthermore, the said printer was recovered from the house of the applicant at Akola whereas the material on record *prima facie* shows that the applicant is residing at Chakan, Pune. Considering the above

facts and circumstances, in my considered view, the material on record *prima facie* does not indicate that the applicant was involved in making or forging or counterfeiting any currency or bank notes.

5. It is also pertinent to note that the investigation is complete and the charge sheet has already been filed. The applicant is a native of the State and there are no chances of the applicant absconding and thwarting the course of justice. Hence, I pass the following order :-

(a) Bail Application is allowed.

(b) The applicant who has been arrested in C.R.No.125/2018 is ordered to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Fifty Thousand) with one or two solvent sureties in the like amount, to the satisfaction of Additional Sessions Judge, Pune.

(c) The applicant shall furnish his permanent address and temporary address, if any, and all his contact details to the concerned Court.

(d) The applicant shall not change his residential address without prior intimation to the Additional Sessions Judge, Pune.

(e) The applicant shall not interfere with the first informant and other witnesses in any manner.

(SMT. ANUJA PRABHUDESSAI, J.)