

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

**ANTICIPATORY BAIL APPLICATION NO. 1050 OF 2018**

Sumit Krupaldas Valbani .....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: 31<sup>th</sup> AUGUST, 2018.**

**P.C.:**

. This is an application for anticipatory bail under Section 438 of Criminal Procedure Code filed by the aforesaid applicant, apprehending his arrest 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 brother of the applicant who is also a vegetable vendor had given to the first informant a hundred rupee note. The applicant had told him that he had received the said note from another person. The first informant suspected that the note was counterfeit. He, therefore, reported the matter to the police. The brother of the applicant was apprehended on the same date and his personal search was taken. 47 counterfeit notes were recovered from his possession. It is the case of the prosecution that the brother of 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.

5. It is to be noted that the supplementary statement of Jyotiram Nagmode indicates that another person was involved in using

counterfeit notes. In view of the said statement, this applicant who is the brother of the main accused was arrayed as accused. However, there is no *prima facie* material to indicate that the applicant was involved in making or forging or counterfeiting any currency or bank notes. Hence, I pass the following order :-

- (a) Anticipatory Bail Application is allowed.
- (b) In the event of the arrest of the applicant in C.R.No.125/2018, he shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Fifty Thousand) with one or two solvent sureties in the like amount, to the satisfaction of Investigation Officer.
- (c) The applicant shall remain present before the Investigation Officer as and when required by the Investigation Officer.
- (d) The applicant shall furnish his permanent address and temporary address, if any, and his contact details to the Investigation Officer.
- (e) The applicant shall not change his residential address without prior intimation to the Investigation Officer.

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

**(SMT. ANUJA PRABHUDESSAI, J.)**