

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

CRI. (ANTICIPATORY BAIL) APPLICATION NO.1869 OF 2017

Mr. Aslam Nasrullah Shaikh

..Applicant

Vs

State of Maharashtra

.. Respondent

...

Ms. Anjali Awasthi i/b. Moinuddin Khan for the Applicant.

Mr. S. S. Hulke, APP for the Respondent- State.

CORAM : A. S. GADKARI, J.

DATE : 23 FEBRUARY 2018.

PC. :

1. By an order dated 25.10.2017, the Applicant was granted interim relief.

2. Heard the learned counsel for the Applicant and the learned APP. Perused the record of investigation.

3. It is the case of the prosecution that the Applicant alongwith other accused persons represented the 1st informant that they are having good contacts with MHADA officers and will be in a position to provide residential premises belonging to MHADA at reasonable rates. That the Applicant and other accused persons thereafter accepted money from about 17 witnesses and neither gave the possession of the agreed premises nor returned that amount.

4. The learned counsel for the applicant submitted that the

applicant has been falsely implicated in the present crime and he has nothing to do with the said transactions. She therefore, prayed that the applicant may be granted pre-arrest bail.

5. The record of investigation clearly indicates that it is the applicant "Aslam" who has also gave promise to 17 similarly situated witnesses and has committed defalcation of substantial amount of money under the pretext of providing flat/residential premises belonging to MHADA to the said needy persons.

6. After taking into considerations, the serious allegations against the applicant and the gravity of the offence, this Court is of the view that the applicant does not deserve to be protected by pre-arrest bail.

7. Application is accordingly, rejected.

(A. S. GADKARI, J.)