

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2227 OF 2017

Hanuman Balaram Thakur vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Rahul Thakur for the Applicant.

Mr. Ameet Pallkar, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 6th February, 2018

P.C.

1. The applicant is apprehending arrest in CR No.90 of 2017 dated 22.3.2017 registered with Nerul Police Station, Navi Mumbai under Section 420 read with 34 of the Indian Penal Code.

2. It is the prosecution case in brief is that the applicant is the landlord of House No.771/1 lying and situated at Sector 20, Nerul, Navi Mumbai. That the applicant has given the said piece of land for development to M/s. Vinus Builder & Property Developers owned by Shri. Kuldeepsingh Mehra of Khanda Colony, Navi Mumbai. The first informant through the mediation of Mr. Vijay Sankpal approached the said

Kuldeepsingh for purchase of a flat in a building which was being constructed by the said Shri. Mehra and paid a sum of Rs.7,31,000/- to Shri. Mehra. The said Shri. Mehra also accepted a sum of Rs.42,60,000/- from other witnesses with an assurance to give flats. As the said Shri. Mehra failed to give possession of the flats as agreed by him and/or to return the amount accepted by him from the witnesses, the present crime is registered.

3. Perused the record of investigation. The record indicates that principal accused Mr. Kuldeepsingh Mehar has been arrested by the police and is in custody. The record indicates that the applicant has given his property to Mr. Kuldeepsingh Mehra for development however, it is the said accused who has committed the present crime and the applicant is not responsible for it.

4. In view thereof, the applicant can be granted pre-arrest bail.

Hence, the following order.

a) In the event of arrest in CR No.90 of 2017 dated 22.3.2017 registered with Nerul Police Station, Navi Mumbai the applicant shall be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like

amount.

b) The applicant shall not tamper with the evidence and /or pressurize the prosecution witnesses.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)