

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (BA) No. 415 of 2018
Chandrashekhar v. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R. J. Mirza, Advocate for applicant
Shri V. P. Gangane, APP for respondent

Coram : S. B. Shukre, J

Date : 3rd May 2018

Heard. Perused the reply of prosecution and the charge-sheet.

Admittedly, this applicant was never working in Shree Surya Investment and Financial Services Company and was, in fact, never an associate of Shri Sameer Joshi in this Company. The only allegation made against this applicant is that he advised the complainant to invest his money with Shree Surya Investment. There is, however, no allegation nor any material present on record to the effect that this applicant gave the advice to invest in Shree Surya Investment, fully knowing the fraudulent nature of the said Company. The allegations made against this applicant prima facie also do not show that there was any instigation, as is contemplated in law, on the part of the applicant to any investor. Applicant is in jail since 27.2.2018. Charge-sheet has been filed long back. In this scenario, I am of the view that this applicant now deserves to be released on bail.

Application is allowed and it is directed that the applicant be released on bail in Crime No. 157/2013 registered with Police Station, Akola for the offences

punishable under Sections 406, 409, 420, 465, 467, 468, 471, 472, 120-B read with Section 34 of the Indian Penal Code and Section 3 of the MPID Act, Section 21 of the IT Act and Sections 58 (B) (5A), 58 (E) of the RBI Act on his furnishing PR Bond of Rs. 30,000/- together with one solvent surety in the like sum, on the following conditions:

- (1) Applicant shall attend the trial Court on all dates of hearing as may be fixed in the trial.
- (2) Applicant shall cooperate with the trial Court in expeditious disposal of the trial.
- (3) Applicant shall not tamper with the prosecution evidence in any manner.

Disposed of.

JUDGE

joshi