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

CRIMINAL BAIL APPLICATION NO.828 OF 2019

Aijaz Qadeer Deshmukh	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Nitin Pradhan, i/b Ms.S.D.Khot, for the Applicant.

Mr.S.S.Hulke A.P.P for the Respondent - State.

PSI – Gomare, Juhu Police Station, Mumbai, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 17th JULY, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.512 of 2018 registered with the Juhu Police Station, Mumbai, for the alleged offences punishable under Sections 406, 420 r/w 34 of the Indian Penal Code.
3. Perused the papers. According to the prosecution, the applicant and co-accused – Abdul Rahim Deshmukh and Karanjeet Kaur@

Ruby, would call people to Novotel Hotel, Juhu, stating that they would get them employed abroad and would ask them to deposit initially an amount of Rs.15,000/- and thereafter Rs.50,000/- for acquiring a job. According to the prosecution, after taking the said amounts, no job was given to any of the persons, from whom money was accepted. It appears that about 50 to 60 people were cheated, pursuant to which, a complaint was lodged as against the applicant and other co-accused. During the course of investigation, Abdul Rahim Deshmukh and the present applicant were arrested. It is informed that Karanjeet Kaur@ Ruby, and Ayana are absconding. It appears that after investigation, charge-sheet was filed. It appears from the perusal of the statements of witnesses that the applicant along with Abdul Rahim Deshmukh and Karanjeet Kaur@ Ruby would call people at the Novotel Hotel, Juhu, and promise them a job in a foreign country and take money from the said persons. It appears that all the money that was received from the people was deposited in the account of Karanjeet Kaur@ Ruby and Abdul Rahim Deshmukh. Co-accused - Abdul Rahim Deshmukh has been released on bail by the Sessions Court. The applicant is in custody since January, 2019. Investigation is complete and charge-sheet is filed.

4. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail, on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- ii) The Applicant shall attend the concerned Police Station, on every Saturday between 10:00 a.m. to 11:00 a.m., for a period of 12 months and thereafter on the first Saturday of every alternate month, between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;
- iii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;
- iv) The Applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case;

v) The Applicant shall co-operate in the conduct of the trial and shall attend the trial Court on every date of hearing, unless exempted by the trial Court;

vi) An undertaking to the aforesaid clauses (ii) to (v), shall be filed by the Applicants, in the Registry of the trial Court, within two weeks of his release;

vii) If there are 2 consecutive defaults either in attending the Police Station or in appearing before the trial Court or breach of any of the conditions as stated above, the prosecution will be at liberty to apply for cancellation of Applicant's bail.

5. The Application is allowed and disposed of in above terms.

6. It is made clear, that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.