

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 842 OF 2019

Zafar Qureshi .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Veerdhawal Deshmukh, Advocate, for the Applicant
Mr. A. R. Kapadnis, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 03.07.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C. R. No. 116 of 2015 registered with the Chembur Police Station, Mumbai, for the alleged offences punishable under Sections 420, 465, 468, 471 r/w 34 of the Indian Penal Code.

3. Perused the papers. According to the prosecution, co-accused – Raj Shirsikar submitted a proposal to the State Bank of India for purchasing two cars from Sevadal Hospitality Services Pvt. Ltd. and after due verification, loan was sanctioned. It is alleged that co-accused

– Raj Shirsikar had taken possession of the said two cars. Subsequently, the Bank realized that the documents which were submitted by co-accused – Raj Shirsikar for getting loan were not in order and that the verification report was not properly submitted. It was further revealed that a favourable report which was necessary for sanction of the loan was also not in order. It is the prosecution case that the Applicant received the said two cars from co-accused – Raj Shirsikar out of which one car is recovered from the Applicant. As learned counsel for the Applicant submitted that the Applicant was ready and willing to deposit 50% of the cost price of the cars i. e. Rs. 4,35,000/- out of Rs. 8,68,000/- without prejudice to his rights and contentions, interim protection was continued. Learned counsel for the Applicant submits that the Applicant has deposited the said amount i. e. Rs. 4,35,000/- in the Registry of this Court.

4. Learned APP also submitted that the Applicant has attended the concerned police station as directed by this Court and has co-operated with the investigation. Prima facie, it appears that the allegations are as against the main accused - Raj Shirsikar , who took the loan from the Bank by preparing forged and fabricated documents.

5. In the facts, custodial interrogation of the Applicant is not warranted. Accordingly, the Application is allowed and the Applicant is granted pre-arrest bail on the following terms & conditions :-

ORDER

(i) In the event of arrest, the Applicant be enlarged on bail, on executing P. R. Bond in the sum of **Rs. 25,000/-** with one or two local sureties in the like amount;

(ii) The Applicant shall report to the investigating officer of the concerned police station as & when called for by the investigating officer;

(iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

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

(REVATI MOHITE DERE, J.)