IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1372 OF 2019

Manohar Kundlik Yewale & Anr. ...Applicants

Vs.

State of Maharashtra ...Respondent

Mr. Niranjan Mundargi I/b. Prasanna A. Bhangale, for the Applicant.
Mr. S. H. Yadav, for the State.

CORAM : SARANG V. KOTWAL, J.

DATE : JUNE 27, 2019

P.C.:

1. The applicants are seeking anticipatory bail in connection with C.R. No.597/2019 registered with Hinjewadi Police Station on 1/5/2019 under Section 420, 465, 468, 471 r/w. 34 of IPC.

2. The FIR was lodged by one Ravindra Shetsandhi. He has mentioned in the FIR that he was in the business of transport and he was supplying computer parts in Talawade and Nigadi area. He used to supply computer parts to many big companies. For that purpose, he had employed one tempo bearing No.MH-14-GD-6689. On 18/4/2019, his driver called him and told that one Yewale was demanding Rs.6,000/- on behalf of Anant Mathadi Transport and General Kamgar

Union. The driver also called the informant's supervisor Pratik. The supervisor called the accused and requested him not to take so much amount. Then the supervisor called one Kailash Mulik. Said Mulik in turn told the driver to pay Rs.4,000/- and to close the matter. The driver again called the first informant. The first informant in turn instructed the driver to unload his vehicle and to return to the office. On 20/4/2019, at around 2.30 p.m. one Manoj Yewale called the first informant from mobile phone No.9850142333 and threatened him. It is the case of the first informant that said Manoj Yewale and his brother Rahul were indulging in similar instances since past one and half year. According to first informant, till date they had extorted Rs.3,50,000/- from the first informant's drivers. Though they had issued certain receipts, those were issued in the above mentioned union which was not even registered. Thus, the first informant was cheated for that amount and on that basis first informant has lodged report. It is case of the Investigating Agency that Manoj Yewale who is described in the FIR is in fact the present applicant No.1.

3. Heard Mr. Niranjan Mundargi, Ld. Counsel for the applicants and Mr. Yadav, Ld. APP for the State.

4. Shri. Mundargi submitted that the offence is not true and the applicants are falsely implicated. He submitted that the applicant No.1 did not receive the money for himself but had given it to the union.

5. Shri. Yadav on the other hand submitted that the union is not registered and they have no authority to collect the amount.

6. Looking at the statements made in the FIR, it is clear that the applicant had no authority to collect money from people under any circumstance and yet they were collecting money since past one and half year. The telephone call mentioned in the FIR is not disputed at this stage. The allegations in the FIR do make out a case of extortion against the applicant. The allegations are serious and custodial interrogation of the applicants is necessary to find out their associates and other victims as well as to trace the crime proceeds. No case for anticipatory bail is made out. Hence, the application is rejected.

(SARANG V. KOTWAL, J.)