

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3200 OF 2019

Dharamraj Bhabulbhai Wala ...Applicant

V/s.

The State of Maharashtra
(Through the Juhu Police Station)Respondent

Mr. M.S. Mohite a/w. Mr. Karan Varma a/w. Ms. Sonal Parab i/by. Rajeev Sawant and Associates, Advocate for the applicant.

Mr. S.R. Agarkar, APP for State.

P.I. Mr. Bharat Salgar, Juhu Police Station present.

CORAM : SANDEEP K. SHINDE, J.

Wednesday, 18th December, 2019.

P.C. :

1. The applicant is seeking enlargement on bail in C.R. No. 225/2019 registered with Juhu Police Station punishable for the offences

punishable under Sections 420, 465, 468, 471 read with Section 34 of the Indian Penal Code; Sections 4 and 5 of the Bombay Prevention of Gambling Act; Section 25(c) of the Indian Telegraph Act. It is alleged, the applicant and the co-accused are bookies and were found indulging into the acts of betting qua cricket match. On prior information, raid was conducted and 12 mobile handsets and simcards were seized. The applicant came to be arrested on 20th June, 2019. Out of seven accused, two are arrested. One is on anticipatory bail and four are absconding.

2. The Counsel for the applicant submits that, investigation is over and chargesheet is filed. Besides, there is no material in the chargesheet to suggest the complicity of the applicant in the act of commission of forgery. Mr. Mohite, submitted offence under Section 5 of the Maharashtra Prevention of Gambling Act is punishable with imprisonment which may extend to two years.

3. In view of the nature of accusation and since investigation is over, applicant's custody is not warranted.

4. In view of the matter, applicant is directed to be released on bail on furnishing P.R. Bond of Rs.50,000/- (Rs. Fifty Thousand only) with one or more local sureties in the like amount.

3. The applicant shall report to the Investigating Officer of the Police Station concerned on a second day of month, commencing from January, 2020 and shall continue to report succeeding month till the charge is framed.

4. The applicant shall furnish the particulars of his recent place of residence and mobile contact number and mobile details, to the Investigating Officer of the Police Station concerned within seven days from his release on bail.

5. 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 Bail Application is allowed and disposed off.

(SANDEEP K. SHINDE, J.)