

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

ANTICIPATORY BAIL APPLICATION No.579 OF 2020

Ajinkya Shravan Zende

...Applicant

V/s

State of Maharashtra

...Respondent

Mr. Silvin Y. Kale for Applicant

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

CORAM : PRAKASH D. NAIK, J.

DATE : 09th MARCH, 2020

PC :

1. This is an application for anticipatory bail application in connection with C.R. No. I-38 of 2020 registered with Chitalsar Police Station for the offences punishable under Section 384 r/w. 34 of Indian Penal Code. The FIR lodged on 16th February, 2020.

2. The case of the prosecution is that the complainant is conducting hotel business in the name of Swagat Bar and Restaurant along with his partner. The Applicant and his associate Deepak Jagtiani had made repeated calls to the complainant and his manager threatening that if they want to conduct their business they shall make the payment of Rs.1,00,000/- as good luck amount. They also threatened that the complainant shall pay Rs.10,000/- p.m as

hafta. The meeting was fixed with the accused on 13.2.2020. However, in the meeting, the Applicant did not come. His friend Dinesh Jagtiani was sent by him. On 15th February, 2020, it was decided that the complainant shall pay an amount of Rs.20,000/- on 18th February, 2020. Hence, the complaint was lodged by the complainant with the police. The manager of the hotel then told the associate of the applicant to collect the first installment of *hafta*. On 15th February, 2020, the amount of Rs.20,000/- was accepted by the co-accused Dipesh Jagtiani. The video recording of the said incident had been conducted. He was caught, while accepting money. FIR was lodged.

3. The submission of the learned counsel for the Applicant is that the Applicant has been falsely implicated in this case. The applicant had made complaint to the police in the past about the illegal activities conducted by the complainant at his restaurant. He relied upon the complaint dated 18th February, 2020, it is also submitted that the calls were made to the control room against illegal activities conducted at the hotel. The co-accused was granted police custody for one day and, thereafter, he was granted bail.

4. The learned APP submits that the threats were given by the Applicant and the co-accused. The co-accused has been apprehended while accepting money Both were involved in threatening the

complainant and made extortion demand. Previous complaint made, to threaten the complainant with intention to extort money from the complainant. It is submitted that the police had visited the hotel and no irregularities were found. It is submitted that according to the complainant threats were issued by the Applicant and co-accused. The co-accused has been apprehended while accepting money. Considerin~~g~~g this material on record, prima facie, no case is made out by the Applicant for grant of relief. Application is rejected.

(PRAKASH D. NAIK, J.)