

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.6 OF 2020

Mrs.Iqra Adil Khan and another	Applicants
versus	
The State of Maharashtra	Respondent

Mr.Adil Khatri i/by Ms.Nazeen Adil Khatri, Advocate for applicants.
Mr.S.R.Agarkar, APP, for State.
API Prashant More, Vinoba Bhave Nagar Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 18th September 2021

PC :

1. The applicants are apprehending arrest in CR No.212 of 2019 registered with Vinoba Bhave Nagar Police Station, Mumbai for offences under Sections 406, 420 r/w 34 of Indian Penal Code. The FIR was registered on 26-8-2019.

2. The case of the complainant is that she had invested money with applicant no.1. Initially Rs.3 lakh was invested and in return she received Rs.4 lakh. Thereafter there was investment of Rs.12 lakh and in return the complainant received Rs.15 lakh. Pursuant thereto there was investigation of more amount and the complainant had allegedly borrowed gold loan. However, subsequently the returns were not received as promised.

3. The contention of the applicants is that there is delay in lodging the FIR. There is no proof of amount being paid to the applicant. There is no receipt or bill of gold. There was no gold

receipt. Hence applicant no.2 has not played any role in the transaction. It is further submitted that the applicant were granted interim protection vide order dated 3-1-2020. Pursuant to the said order the applicants were arrested and they were released on bail.

4. Learned APP submitted that investigation is almost complete. The complainant is out of India. Arrest was effected pursuant to the interim protection granted by this Court and shortly charge sheet would be filed against applicants.

5. Considering the factual aspects as stated above, custodial interrogation of the applicants is not necessary. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) Interim protection granted vide order dated 3-1-2020 is confirmed;
- (iii) In the event of arrest of applicants in CR No.212 of 2019 registered with Vinoba Bhave Nagar Police Station, Mumbai, the applicants be released on bail on their executing PR bond in the sum of Rs.50,000/- each with one or more sureties in the like amount.

(PRAKASH D. NAIK, J.)

MST