

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

BAIL APPLICATION NO.1186 OF 2021

Fahad Naushad Chandiwalla ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Mr. Datta Mane for the Applicant.

Ms. M.H.Mhatre, APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : 28th APRIL, 2021.
(Through Video-Conferencing)

P.C. :

Heard.

2 It is second Bail Application. Applicant seeks his enlargement on bail in Crime No.479 of 2018 registered with MIDC Police Station, Mumbai for the offences punishable under Sections 489B and 489C read with Section 34 of the Indian Penal Code, 1860.

3 Applicant was apprehended on 13th October, 2018. Investigation in the case is over and the final report has been filed.

4 Evidence on record suggests that applicant was found in possession of the counterfeit currency notes. Evidence does not suggest that applicant was likely to use counterfeit currency notes. Prima-facie, therefore, allegations may only attract penal provisions of Section 489C of the IPC. Precisely, on this ground, Co-ordinate Bench has released co-accused on bail on 3rd March, 2020. Additionally, the applicant has no criminal antecedents. Trial is not likely to commence in near future. However, the presence of the applicant can be secured by imposing suitable conditions.

5 In consideration of the facts of the case, application is allowed. Hence, the following order:

ORDER

(i) The applicant in Crime No.479 of 2018 registered with MIDC Police Station, Mumbai shall be released on executing PR bond for the sum of Rs.15,000/- with one or more sureties in like sum.

(ii) The applicant shall attend the concerned police station, on the first Saturday of every month, between 10 am. to 11 a.m., till the conclusion of the trial.

(iii) The applicant shall furnish his permanent residential address and contact number to the Investigating Officer within seven days from the date of his release on bail.

(iv) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant,

witnesses or any person concerned with the case.

(v) The applicant shall not leave the jurisdiction of Mumbai and Thane City, without the permission of the trial Court.

(vi) The applicant shall co-operate in the conduct of the trial and shall attend the trial Court on every date of hearing and shall not impede the conduct of the trial.

6 The application is accordingly allowed and disposed of.

7 It is made clear that observations made here-in-above be construed as expression of opinion for the purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)