

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1101 / 2020
IN
ANTICIPATORY BAIL APPLICATION NO. 154 / 2020

Romil Anil Shah

.....Applicant

V/s.

The State of Maharashtra,

Through Sahar Police Station,

Mumbai

....Respondent

* * * *

Mr. Chandan Mukherji, advocate for the applicant.

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

PI, Ashok S. Gaikwad, from Sahar Police Station present.

CORAM : SANDEEP K. SHINDE, J.

Wednesday, 17th February, 2021.

P.C. :

1. Heard learned Counsel for the applicant and learned APP for State.

2. Apprehending arrest in connection with Crime No. 116/2018 registered with Sahar Police Station, Mumbai for the offences punishable under Sections 317, 420 and 34 of the Indian Penal Code, the applicant is seeking pre-arrest bail. On 21st January, 2020, this

Court granted interim pre-arrest bail to the applicant on certain terms and conditions. Learned APP, on instructions submitted, that the applicant reported to the Investigating Officer on 27th January, 2020 and thereafter as and when called. The investigation in the subject crime is over and the chargesheet has been filed. I have perused the chargesheet.

3. On 5th April, 2018, group of 11 persons was travelling to Dubai. Immigration authorities at Chatrapati Shivaji International Airport suspected movements of one of the travellers. On enquiry, authorities found that Zulfikaar Shaikh (accused no.3) was leading the group to Dubai for shooting of movie which was being produced by First Choice and Media Entertainment Pvt. Ltd., Blue Moon Media Pvt. Ltd., Option Entertainment Pvt. Ltd. and RSM Events Pvt. Ltd. On further enquiry, authorities found that, accused Zulfikaar Shaikh and Sajid Sheikh had given co-accused 10,000 Dihrams and Forex Cards which the accused, Sajid Sheikh was supposed to collect and handover to the present applicant. On this set of allegations, the subject offence came to be registered against the applicant who is cited as accused no.4. The applicant

herein was working as Manager with Palash Events and Promotions L.L.C., Dubai. When the offence was registered, the applicant was in Dubai. However, after granting him interim pre-arrest protection on 21st January, 2020, he is in India.

4. Perusal of the chargesheet, prima-facie, does not disclose complicity of the applicant in the subject crime. Investigating Officer is present. Learned APP, also, could not point out, “any material”, from the chargesheet indicating applicant’s complicity in the crime. Even otherwise, the applicant has co-operated in the investigation and final report has been filed. In consideration of the facts aforesaid, the application is allowed. Thus, the following order :

O R D E R

(i) In the event of arrest of the applicant in Crime No. 116/2018 registered at Sahar Police Station, he shall be released on bail on executing P.R. bond for the sum of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or more local sureties in the like sum.

(ii) The applicant shall report to the Investigating Officer once in six months i.e. in the first week of June, 2021 and thereafter in the first week of December, 2021 and co-operate in the investigation.

(iii) The applicant shall furnish his local and Dubai address and contact details to the Investigating Officer forthwith within a week.

(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.

5. The application is accordingly allowed and disposed off.

6. It is made clear that, observations made hereinabove, shall be construed as expression of opinion for the purpose of granting bail only and the same shall not, in any way, influence the trial in other proceedings.