

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

ANTICIPATORY BAIL APPLICATION NO.1482 OF 2021

Shreeram Agarwal Keshavdev Agarwal Applicant
Versus
The State of Maharashtra Respondent

Mr. Anand Mishra, Advocate i/b. Ashok M. Saraogi, for the
Applicant.

Mr. H.J. Dedhia, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.
DATE : 19th JULY, 2021
[Through Video Conferencing]

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.539/2021 dated 7.6.2021 registered at Dindoshi Police Station, Mumbai under sections 406, 420, 506 read with 34 of the Indian Penal Code.

2. The FIR is lodged by the first informant Irshad Salmani on 7.6.2021. The gist of the FIR is that he got acquainted with the present applicant as the applicant used to have hair cut in the informant's saloon. In 2019, the applicant suggested that the informant should invest his amount in a good scheme. He suggested that he could help the informant

in purchasing the applicant's own flat at Goregaon. For that purpose, he suggested that he could give Rs.33 lakhs as loan amount to the informant which the informant had to repay as purchase money. The informant went on paying cash and money through on line transfer and in all Rs.23,88,307/- were paid by the informant to the applicant. The applicant had not returned the money. No flat was given to the informant and, therefore, this FIR is lodged.

3. Heard Shri Anand Mishra, learned counsel for the applicant and Shri H.J. Dedhia, learned APP for the State.

4. Vide order dated 30.6.2021 passed by this Court (Coram: Prakash D.Naik, J.), the Court had recorded that the applicant had made a statement that he would deposit amount of Rs.10 Lakhs within two weeks from that order to show his bonafides. The applicant was also directed to attend the investigating officer on 7th, 8th and 9th July, 2021 between 11:00 a.m. to 1:00 p.m..

5. Learned APP, on instructions, stated that no such amount is deposited by the applicant and the applicant has not

attended the police station as directed.

6. Learned counsel for the applicant also accepted the fact that the applicant has not deposited the amount of Rs.10 Lakhs as recorded in the order dated 30.6.2021.

7. I have considered this situation and the allegations in the FIR. The FIR clearly makes out offence committed by the present applicant. The informant was cheated to the aforementioned amount. No explanation is given by the applicant. He has not complied with the order of the Court. He has not complied with his own undertaking and he has not reported to the investigating officer. Therefore, he does not deserve any protection of anticipatory bail. The application is rejected.

(SARANG V. KOTWAL, J.)

Deshmane (PS)