

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

ANTICIPATORY BAIL APPLICATION NO. 1537 OF 2021

Pramod Mohan Katarnavare Applicant

Versus
The State of Maharashtra Respondent

Mr. Piyush Toshnival i/b Vivek N. Arote, for the applicant.
Mr. S.S. Pednekar, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 26th JULY, 2021**

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C. R.No. 122 of 2021 registered at Mahatma Phule Chowky Police Station, Thane, under sections 420, 406, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. Heard Mr. Piyush Toshnival, learned counsel for the applicant and Mr. S.S. Pednekar, learned APP for the State.

3. The FIR is lodged by one Manisha Patil on 23/02/2021. She has stated that in August 2018, she saw an advertisement board near Bazar Peth Police Station, Kalyan regarding some scheme. It was mentioned in that advertisement that members of small savings group could earn Rs. 5 lakhs by way of loan besides other facilities. The informant was impressed with that and she went to the office. The main accused Shamim Bano was present in the office. She told the informant that if the informant made investment of Rs. 1500/- with their scheme, she would get some tender from the government and she would get employment. If she could get other members, they would also benefited similarly. Accordingly the informant and others deposited certain amount with them. The FIR mentioned that in all Rs.01,99,000/- were taken from 10 victims. Shamim had not returned any amount and they were not given employment as promised. The FIR further mentioned that Rs. 30,700/- were also given in cash. On this basis the FIR

is lodged.

4. Learned Counsel for the applicant submitted that there is hardly any role attributed to the present applicant. There is only one reference in the FIR to the name of the applicant that in February 2020, he had uploaded some important documents of the investors for which he demanded Rs. 1000/- from per investor. It is mentioned that, for that purpose the informant and others collected Rs. 20,700/- which was transferred in the account of the main accused Shamim Bano. Above that, Rs. 10,000/- were paid in cash. He submitted that the applicant was not the beneficiary. He had merely done the job assigned to him. He had nothing to do with the scheme.

5. Learned APP on instructions stated that the role attributed to the applicant is limited to what is mentioned in the FIR. He has attended the Police station as directed and has co-operated with the investigation.

6. I have considered these submissions. Considering the submissions made by learned Counsel for the applicant, it does appear that in the FIR, only reference to the applicant is for limited extent. It is alleged that, the applicant had uploaded some documents and had asked the investors to pay some amount. That amount has gone to the account of main accused Shamim Bano. Considering the minor role attributed to the applicant and also taking into account the fact that the applicant has co-operated with the investigation, his custodial interrogation is not necessary. He can be protected by an order of anticipatory bail.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No. 122/2021 registered with Mahatma Phule Chowky Police Station, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand

Only) with one or two sureties in the like amount.

- (ii) The Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)