

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

ANTICIPATORY BAIL APPLICATION NO. 1227 OF 2019

Rohit Siddharth Jadhav

.....Applicant

Vs.

The State Of Maharashtra

.....Respondent

Mr. Amanjhot Singh i/by Mr. Anand Singh for the Applicant.

Mr. Y.M. Nakhwa APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 25th AUGUST, 2021.

PC:-

Heard Mr. Amanjhot Singh, learned counsel for the Applicant and Mr. Nakhwa, learned APP for the Respondent State. Perused record.

2 The first information report is lodged by Satwant Shiv Singh. By an Order dated 24th June, 2019, the Applicant was granted interim relief and was directed to report the Investigating officer of the concerned police station on the stipulated dates and thereafter as and when called for by the Investigating Officer and to join the process of investigation. He was also directed to furnish all his Bank statements.

3 The prosecution case in brief is that, the informant along with his wife Smt. Sukhvindar Kaur, had been to Phoenix Mall, Mumbai for shopping in the month of October 2018. There he met with Mr. Vikrant and Mr. Shrikant Reddy, the representatives of Gallivant International Company. These two representatives of the said Company persuaded informant to invest in their company a sum of Rs.1,40,000/- and in return, the informant

would be provided holiday membership for 10 years along with membership of a Gymnasium. A very rosy picture was painted in front of the informant and he was lured to invest the said amount. The informant thereafter, deposited a sum of Rs.1,40,000/- in the account of said Gallivant International Company through his credit cards. An Agreement was accordingly executed between the said company and informant. The informant subsequently, did not get the assured returns on his investment and therefore, he got suspicious about the bonafide of the representation made by Mr. Vikrant and Mr. Shrikant Reddy. The informant thereafter contacted Mr. Vikrant, who did not give satisfactory answers to him. The informant subsequently realized that, about 60 to 70 other persons have been cheated by the said Company in the similar manner.

4 Record indicates that, the Applicant was a mere employee of the said Company and has no direct role to play in commission of the present crime. That, in pursuance of interim Order dated 24th June, 2019, the Applicant had attended the Investigating Officer and has furnished all his bank statements with the Investigating Officer.

Perusal of the Bank statements of the Applicant, *prima facie* indicate that, the amounts which were credited in the Account of the Applicant have been spent under the directions of the said Company for the benefit of the Company itself i.e. the Applicant under instructions from the Directors of the Company, has effected bookings of tickets of Aircraft and

has paid various amounts to other Companies with whom the said Gallivant International Company was having business transactions.

5 Learned APP submitted that, approximately an amount of Rs.21 lacks have been credited by the Company in the Bank Account of the Applicant. It *prima facie* appears that, the Applicant has offered satisfactory explanation about the crediting of the said amounts in his Bank Account and its expenditure by him under the directions of the Directors of the said Gallivant International Company. The statements of Bank Account of the Applicant indicate that, the Applicant was getting salary of Rs.21,800/- per month as an employee of the said Company. It further *prima facie* appears that, the Applicant is not beneficiary of the proceeds of crime committed by the Directors and/or other accused persons related with the said Gallivant International Company.

6 In view of the above, the custodial interrogation of the Applicant for further investigation of the present crime is not necessary and the Applicant can be protected by pre-arrest bail.

Interim relief granted by Order dated 24th June, 2021 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

Application is allowed in the aforesaid terms.