

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

**ANTICIPATORY BAIL APPLICATION NO.2219 OF 2021**

Ramjan Tajuddin Mujavar

.. Applicant

Vs.

The State Of Maharashtra

.. Respondent

...

Mr.Nushrat Shah, i/b K.H. Associates., Advocate for Applicant.

Mr. R.M. Pethe, A.P.P. for the State-Respondent.

API. Waghmode, Santacruz Police station, present.

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**CORAM : PRAKASH D. NAIK, J.**  
**DATE : 21<sup>st</sup> SEPTEMBER, 2021**

**PC.**

1. The applicant is apprehending arrest in connection with C.R. No. 57 of 2020 registered with Santacruz Police Station for the offence under Sections 406, 420 of the Indian Penal Code. The First Information Report was registered on 05.02.2020.

2. The allegations of the complainant can be summarized as the complainant and two other persons were deceived by accepting the huge amount of Rs.33 lakhs by misrepresenting that the premises belonging to some other person owned by the accused.

3. The contention of the applicant is that the allegations reflected in the FIR are false. The aggrieved person was not cheated by the applicant nor the amount of interest is

misappropriated by him. It was a business transaction and the amount has been returned to the complainant and other aggrieved person. The applicant has furnished details of payment in the present application.

4. Learned APP submitted that there was some of the transactions between the parties involved in this proceeding. The details provided by the applicant indicate that some payment is made but except the fact that there is no entry of cash payment made by the applicant. The applicant is the aggrieved person.

5. It appears that there were transactions between parties. Substantial payment is being made by the applicant to the aggrieved person. Considering the factual aspects of the matter, the applicant need not be subjected to custodial interrogation.

### **ORDER**

- (i) Anticipatory Bail Application No. 2219 of 2021 is allowed.
- (ii) In the event of arrest of applicant in C.R. No. 57 of 2020 registered with Santacruz Police Station, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25000/-, with one or more sureties in the like amount;
- (iii) The applicant shall appear before the Investigating Officer on 27<sup>th</sup>, 28<sup>th</sup> and 29<sup>th</sup> September 2021 between 11.00 am to 01.00 pm. thereafter as and when called for till the filing of the charge-sheet.
- (iv) Application stands disposed of.

**(PRAKASH D. NAIK, J.)**