

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

ANTICIPATORY BAIL APPLICATION NO. 1895 OF 2019

Mahesh Maruti Taras Applicant
Versus
The State of Maharashtra Respondent

**WITH
INTERIM APPLICATION NO.1392 OF 2019**

Vijay Somnath Date Intervenor

In the matter between:

Mahesh Maruti Taras Applicant
Versus
The State of Maharashtra Respondent

Mr. Jay S. Patil i/b. Amey C. Sawant for Applicant.
Mr. Amit A. Palkar, APP for State/Respondent.
None present for Intervenor.

**CORAM : SARANG V. KOTWAL, J.
DATE : 07th AUGUST, 2021**

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 265 of 2019 registered at Pimpri-Chinchwad Police Station, on 19/07/2019, under sections 420 and 406 of the Indian

Penal Code (for short 'IPC').

2. Heard Shri. Jay Patil, learned counsel for the applicant and Shri. Amit Palkar, learned APP for the State.

3. The First Information Report (for short 'F.I.R.') is lodged by Vijay Date. He has stated that, he was in construction business. In 2012, he came in contact with the present applicant. The informant was told by the applicant that the applicant conducted a chit fund by the name Avadhut Chit Fund Private Limited. They had office at Chinchwad. He told the informant that, they had arranged a meeting for chit fund investment in their office in February 2013. The informant went to attend that meeting. The applicant informed him about the benefits of making investment in his chit fund. He also informed about the high returns which the informant could get if the investment was made in that scheme. The informant was suggested to invest Rs.5 lakhs for 20 months in one of the schemes and Rs.2 lakhs for 20 months in another scheme. The informant was promised high returns. He decided to invest in those schemes. The F.I.R. further mentions that the informant had actually invested Rs.05,01,250/-. Suddenly, in

December 2013 the applicant closed his office and disappeared. He was not found and, therefore, this F.I.R. was lodged.

4. Learned counsel for the applicant submitted that, entire amount is actually paid to the informant even before lodging of this F.I.R. He submitted that, the F.I.R. is lodged belatedly. The amount was allegedly invested in the year 2013 and suddenly the F.I.R. was lodged in the year 2019.

5. Learned APP, on instructions, has stated that the charge-sheet in this case is already filed on 24/08/2020. The applicant has co-operated with the investigation.

6. I have considered these submissions. The applicant was on interim protection since 29/08/2019, thereafter even the charge-sheet is filed. Learned APP has submitted that the applicant has co-operated with the investigation. The allegations pertain to investments allegedly made by the informant in the year 2013. The F.I.R. is lodged belatedly in July 2019 i.e. more than six years later. No explanation is offered. Therefore, after so many years of alleged offence and after filing of the charge-sheet, the applicant's custodial interrogation will not serve any purpose. 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. 265 of 2019 registered at Pimpri-Chinchwad Police Station, the applicant is directed to be released on bail on his furnishing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Application stands disposed of accordingly.
- (iii) With the disposal of this application, the interim application does not survive and it is also disposed of accordingly.

(SARANG V. KOTWAL, J.)