

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

ANTICIPATORY BAIL APPLICATION NO.1929 OF 2019

Kisanlal Nandram Unecha & Ors.	...Applicants
V/s.	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.541 OF 2020**

Ramlal Motilal Unecha & Ors.	...Applicants
V/s.	
The State of Maharashtra	...Respondent

Mr. Amol Deshpande, Advocate for Applicants.
Ms. M. H. Mhatre, APP for Respondent (State).
Mr. Unus Mulani, Police Inspector, Crime.

CORAM : A. S. GADKARI, J.
DATE : 21st AUGUST, 2021.

PC. :

1. Learned Advocate for the Applicant submitted that, the Applicants have returned the amount, which they had accepted from the complainant, totalling to Rs.31,25,000/- and the complainant has no grievance as far as, the Applicants herein are concerned.

He further on instructions submitted that, the Applicant No.3 namely Mr. Mohanlal Nandram Unecha has expired on 21st June 2021, at Pune. That, the said Mr. Mohanlal Nandram Unecha had accepted an

amount Rs.40,00,000/- from the complainant and it is the said amount, which the Police till date could not recover.

2. Learned APP on instructions from Mr.Unus Mulani-Investigating Officer submitted that, the Applicants herein have returned the amount, which they had accepted from the informant, which is approximately Rs.31,25,000/- to the informant. That, the Applicants have cooperated in the process of investigation and as per his instructions, the custodial interrogation of the Applicants for further investigation of the present crime is not necessary.

3. The record indicates that, the Police were seeking custody of the Applicants predominantly for recovery of the said amount, which as per the allegation of the complainant, they had accepted for sale of the said landed property mentioned in the First Information Report. As the amount accepted by the Applicants herein is returned to the informant, it appears to this Court that, their custodial interrogation for further investigation of the present crime is not necessary.

4. In view of the above, interim relief granted by Order dated 3rd September 2019, is hereby confirmed.

5. Applications are allowed in the aforesaid terms.

(A. S. GADKARI, J.)