

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

ANTICIPATORY BAIL APPLICATION NO. 2071 OF 2019

**SNEHA
NITIN
CHAVAN**

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Date: 2021.08.21
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Kaiser Jahan Rauf Sayyed and Anr. .. Applicants
V/s.

The State of Maharashtra ..Respondent

None for the Applicants.

Mrs. Veera Shinde, APP for the Respondent/State.

Police Inspector Sudhakar Humbe, attached to Rabodi Police Station,
Thane.

CORAM : C.V. BHADANG, J.

DATE : 21ST AUGUST, 2021

P.C.

1. Although there is no appearance on behalf of the Applicants, this application can be disposed of on the basis of the specific submissions made by the learned APP on instructions from the Investigating Officer Mr. Sudhakar Humbe, who is present before the Court.

2. The Applicants apprehending their arrest in connection with investigation of Crime No. I-102 of 2019 of Rabodi Police Station, Thane, under Section 420 read with Section 34 of IPC are seeking anticipatory bail.

3. The Applicants are the accused nos. 2 and 3. The Applicant Kaisar happens to be the daughter of accused no.1 Faridabano Javed Shaikh, while Applicant Rauf Sayyed is the husband of Kaisar. The prosecution case as per the complaint lodged by Moinuddin Mohd Shaikh Khan is that Applicants were running *Bhisi* (Chit fund) and cheated the complainant to the tune of Rs.17,18,000/-. According to the Investigating Officer, during the course of investigation and the statements of other witnesses recorded, the total amount comes to Rs.45,83,000/-.

4. The record discloses that on 24.09.2019, interim protection was granted to the Applicants, *inter alia*, on the condition of attendance. The learned APP on instructions states that the Applicants have accordingly attended the Investigating Officer and co-operated in the investigation. It is submitted that necessary documents have been seized/obtained. It is submitted that partial investigation is complete as against the present Applicants and the chargesheet is filed and the custody of the present Applicants is not required for the purposes of investigation.

5. In view of the specific statement made, Criminal Application is disposed of in terms of order dated 24.09.2019 subject to the

condition that the Applicants shall co-operate with Investigating Agency, and as and when required and shall not tamper with the prosecution evidence/ witnesses.

C.V. BHADANG, J.