

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

**ANTICIPATORY BAIL APPLICATION NO. 2496 OF 2019**

Imran Kasim Khan ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Shivprasad C. Kanojia, Advocate for the Applicant.

Mr. A. R. Kapadnis, APP for the Respondent – State.

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**CORAM : PRAKASH D. NAIK, J.**

**DATE : 26<sup>th</sup> APRIL, 2021**

**PER COURT:**

1. The applicant is apprehending arrest in C.R. No. 78 of 2019 registered with Mahim Police Station, Mumbai for offence under Section 420 r/w Section 34 of Indian Penal Code (for short “IPC”).

2. The grievance of the complainant is that the applicant is her nephew. The complainant induced her to part with the amount of Rs. 10 Lakhs as he intended to produce the movie. The amount was not returned. Complaint also mentioned that several other persons were also cheated by the applicant after obtaining amount from them. The applicant had also executed writing on 18<sup>th</sup> July, 2017 on

the letter head of his concern and handed over cheque to the complainant.

3. Learned counsel for the applicant submitted that there is delay in lodging the First Information Report (for short 'FIR'). There is dispute between the applicant and complainant. False FIR has been registered. There is no proof of payment of money.

4. Learned APP submitted that specific role has been attributed to the applicant. Statements of other persons to whom, the applicant has deceived were recorded during the course of investigation.

5. On perusal of the FIR and order passed by the Sessions Court and hearing both the sides, it can be seen that, the complaint attributes specific overt act to the applicant. The amount was allegedly parted to the applicant. The order of the Sessions Court also indicate that the informant had pledged her gold ornaments and availed loan. The amount of Rs. 5,61,000/- was found in saving account of applicant in the year 2016.

6. The applicant has deceived other persons. Their statements are recorded. Prima facie involvement of applicant is clear. Hence, no case for grant of anticipatory bail is made out.

**ORDER**

Anticipatory Bail Application No. 2496 of 2019 is rejected and stands disposed of accordingly.

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