

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

ANTICIPATORY BAIL APPLICATION NO.679 OF 2022

Jitendra Bhika Solanki

...Applicant

Versus

The State of Maharashtra

...Respondent

....

Mr. P.C. Mohite for the Applicant.

Ms Sharmila S. Kaushik, APP for Respondent-State.

Mr. Ganesh Jadhav, PSI, present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 16th MARCH, 2022.

P.C.:-

1. By this application filed under Section 438 of the Cr.P.C., the Applicant has sought pre-arrest bail apprehending his arrest in Crime No.8 of 2022 registered with N.M. Joshi Marg Police Station, Mumbai for the offences punishable under Sections 420, 465, 467 and 468 r/w. 34 of the IPC.

2. Mr. P.C. Mohite, learned counsel for the Applicant states that Applicant is the brother-in-law of the original Complainant. He states that the Applicant had introduced the Complainant to Pramod Bhirwadkar, who is a MHADA agent. He used to assist the purchasers in transferring properties in their name. He states that the Applicant had not received

any money from the Complainant and that he is not involved in commission of the said crime.

3. Ms Kaushik, learned APP for the Respondent-State states that the Complainant had paid sum of Rs.18,00,000/- out which Rs.3,00,000/- was paid in cash and that there is every possibility that said amount was paid to the Applicant.

4. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

5. The records reveal that the Applicant is the brother-in-law of the Complainant. The FIR reveals that the Complainant was in need of premises and that the Applicant herein had told her that Pramod Bhirwadkar, who deals with sale and purchase of MHADA flats was known to him. He introduced her to Pramod Bhirwadkar. Said Pramod Bhirwadkar informed the Complainant that a MHADA building was going for redevelopment and that one Khairula Ibrahim, who was residing in Room No.14 of the said building was willing to sell the flat which would be allotted to him in the re-development project. Complainant has stated that she had paid an amount of Rs.18,00,000/- to said Pramod Bhirwadkar. Out of which Rs.3,00,000/- was paid in cash. The Applicant had only introduced her to Pramod Bhirwadkar. He had not received any

money from the Complainant and prima facie he was not involved in the sale transaction.

6. Under the circumstances, in my considered view this is not a case which would warrant custodial interrogation. Hence, the application is allowed on following terms and conditions:-

- (i) In the event of arrest of the Applicant in Crime No.8 of 2022 registered with N.M. Joshi Marg Police Station, Mumbai, the Applicant shall be released on bail on furnishing bail bonds of Rs.25,000/- with one or two solvent sureties in the like amount;
- (ii) The Applicant shall report to the Investigating Officer for a period of four days from 21st March, 2022 between 10.00 a.m. to 1.00 p.m. and thereafter as and when directed by the investigating officer.
- (iii) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

7. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)