

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

ANT. BAIL APPLICATION NO.1486 OF 2022

Shabbir Mohamad ... Applicant
Vs
The State of Maharashtra ... Respondent
...

Mr. Kishan Chaudhari for the Applicant.
Mr. P.H.Gaikwad, APP for the Respondent-State.
PI M.T.Jadhav, Poynad P.Stn., Raigad present.

CORAM : SANDEEP K. SHINDE J.
DATE : 8th JUNE, 2022.

P.C. :

Heard Mr. Chaudhary, learned counsel for the applicant and Mr.Gaikwad, learned Additional Public Prosecutor for the State. Investigating Officer is present.

2 Applicant is seeking protection from arrest on being arrayed as accused in Crime No.0059 of 2022 registered at Poynad Police Station, Raigad for the offences punishable under

Sections 420 and 506 of the Indian Penal Code, 1860. Primary evaluation of the First Information Report and the investigation papers reveal that, the accused no.1, Mr. Talreja allegedly promised, the complainant to avail, sanction and disburse loan of Rs.10 Crores and for processing the loan proposal, demanded and received Rs.10 Lakhs from him, by cheque/bank transfers and Rs.5 Lakhs in cash.

3 Mr. Gaikwad, learned Additional Public Prosecutor, on instructions from the Investigating Officer, would submit, that, Talreja has not paid or transferred, part of processing fees to applicant's account nor there is evidence to suggest that applicant persuaded the complainant to pay Rs.15 Lakhs to accused no.1-Talreja. The only role ascribed to the applicant is, that he was present in the meetings held between the complainant and Talreja. In that view of the matter, case is made out for granting pre-arrest, bail to the applicant. Hence, following order;

ORDER

(i) In the event of arrest of the applicant in Crime No. 0059 of 2022 registered with Poynad Police Station, District: Raigad, he shall be released on executing PR bond for the sum of Rs.20,000/- with one or more sureties in like sum.

(ii) The applicant shall furnish his permanent residential address and contact number to the Investigating Officer within seven days from today.

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case

(iv) The applicant shall join the investigation as and when called.

4. The application is accordingly allowed and disposed of.

5. It is made clear that observations made here-in-above be construed as expression of opinion for the purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)