

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1570 OF 2022

Mukund Manikrao Jojare

...Applicant

vs.

The State of Maharashtra

...Respondent

VISHAL
SUBHASH
PAREKAR

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VISHAL SUBHASH
PAREKAR
Date: 2022.06.18
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Mr. Purushottam Chavan, for the Applicant

Mrs. P.N. Dabholkar, APP, for the State.

PSI. Mr. Prashant Kshirsagar, Sadar Bazar police station, Solapur present.

CORAM : N. J. JAMADAR, J.

DATE : JUNE 17, 2022

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. This application is preferred for pre-arrest bail in connection with C.R. No.137 of 2022 registered with Sadar Bazar police station, Solapur for the offences punishable under sections 406 and 420 read with 34 of the Indian Penal Code, 1860.

3. The co-accused had availed loan from Thane Janta Sahakari Bank Limited, Solapur by pledging gold. The applicant was an empanelled valuer of the Bank. On the basis of the valuation report submitted by the applicant, especially as regards the purity of the gold pledged, the Bank has advanced loan to the co-accused. The later committed default in repayment of the loan. When the bank

invoked the pledge and obtained a fresh valuation of the pledged gold, it transpired that the purity of the gold was less than what was certified by the applicant. Thus, the applicant is roped in as the person who committed cheating in furtherance of common intention with the borrowers.

4. From the perusal of the allegations in the first information report, it becomes evident that the purity of the gold was found less by 8%-12%. The applicant claimed to have certified the purity on the basis of the Hallmark verification. Variance in the purity of gold, by different valuers, may occur even bonafide. In any event, in the backdrop of the nature of the accusation, custodial interrogation of the applicant does not seem warranted. The applicant appears to have roots in society to bind him down to place of abode and business. The possibility of fleeing away from justice and tampering with evidence seems extremely remote. Therefore, I am persuaded to exercise the discretion in favour of the applicant. Hence, the following order.

ORDER

1] The application stands allowed.

2] In the event of arrest of the applicant Mukund Manikrao Jojare in C.R. No. 137 of 2022 for the offences punishable under sections 420 and 406 read with 34 of Indian Penal Code, 1860, he

be released on bail on furnishing a P.R. bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.

3] The applicant shall cooperate with the investigation.

4] The applicant shall attend Sadar Bazar police station, Solapur on every alternate Sunday between 10 am to 1 pm. for a period of two months.

The application stands disposed.

(N. J. JAMADAR, J.)