

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2145 OF 2022**

Asha Niranjana Shah	..	Applicant
Versus		
The State of Maharashtra	..	Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.2146 OF 2022**

Niranjana Jeshinglal Shah	..	Applicant
Versus		
The State of Maharashtra	..	Respondent

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Mr.Vikrant Anand Desai h/f Mr.Shirish G. Shigwan for the Applicants in both the Applications.

Mr.S.V.Gavand, A.P.P. for the State/Respondent.

Mr.Sushilkumar Vanjare, attached to L.T.Marg Police Station, present.

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**CORAM: BHARATI DANGRE, J.
DATED : 19th SEPTEMBER, 2022**

P.C:-

1. Learned A.P.P., on instructions of the Investigating Officer, who is present in the Court, makes a fair statement that as far as Asha Niranjana Shah (Applicant in ABA/2145/22) is concerned, she is not arraigned as an accused, though the charge-sheet has been filed against the main accused-Mitul Niranjana Shah.

In the wake of the above statement, no further orders are necessary and the application stands disposed off.

2. As far as Niranjn Jeshinglal Shah (Applicant in ABA/2146/22), who is the father of the main accused- Mitul Shah is concerned, learned A.P.P. on instructions, makes a statement that a sum of Rs.33,45,000/- is diverted into his account from Mitul from 02/01/2018 to 28/02/2018. Learned A.P.P. fairly states that apart from these transactions, the charge-sheet filed against Mitul Shah does not accuse the present applicant of playing any active role in the conspiracy, where there is misappropriation of around Rs.Two crores. Mitul Shah has been arrested and is presently detained. The present applicant is not charge-sheeted, as he was granted protection from arrest.

3. Considering the role attributed to the present applicant and, since, the charge-sheet has been filed, the circumstances do not warrant his custodial interrogation. It would suffice, if he reports to the concerned police station and renders his co-operation to the Investigating Officer.

Hence, the following order.

: ORDER :

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.28 of 2022 registered with L.T.Marg Police Station, applicant-Niranjn Jeshinglal Shah shall be released on bail on furnishing P.R. Bond to the extent of Rs.25,000/- with one or two sureties in the like amount.

(c) The applicant shall report to the concerned police station from 20/09/2022 to 28/09/2022 between 3.00 p.m. to 5.00 p.m. and, thereafter, as and when called for.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(SMT. BHARATI DANGRE, J.)