

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2258 OF 2022**

Sanjiv Ved Malik

.. Applicant

Versus

The State of Maharashtra

.. Respondent

...

Mr.Karan Bhosale with Ms.Megha Gupta, Ms.Priyanka Dubey and Ms.Dimple Ashar i/b Hedgehog & Fox for the Applicant.

Ms.Anamika Malhotra, A.P.P. for the State/Respondent.

ACP S.N.Patil, Crime Branch, Thane, present.

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CORAM: BHARATI DANGRE, J.

DATED : 19th SEPTEMBER, 2022

P.C:-

1. As directed by the order dated 23/08/2022, the Investigating Officer has looked into the letter dated 06/12/2021 issued by Konkan Housing and Area Development Board, in favour of M/s.Darshan Sagar Developers in which the applicant is a partner.

The Investigating Officer, who is present in the Court, stated that on the complainant being confronted with the said

letter and on further investigation, it is not denied that as regards the 31 flats, they were permitted to be shifted to Mouje Kolshet in the survey numbers, which are mentioned in the said letter and not only this, communication has been actually acted upon, by depositing the necessary amount. The receipt of the payment on this account is also placed on record, which is to the tune of Rs.40,45,756/- received by MHADA.

Learned A.P.P. states that the applicant has also addressed a communication to the Investigating Officer on 29/07/2022, mentioning about the compliance and the Investigating Officer is, *prima facie*, satisfied that there is no flaw as alleged in the complaint.

In the wake of the above, the subject C.R. which invokes Sections 406, 420 read with Section 34, does not warrant custodial interrogation of the applicant.

Hence, the following order.

: ORDER :

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.380 of 2021 registered with Kasarvadvli Police Station, applicant-Sanjiv Ved Malik shall be released on

bail on furnishing P.R. Bond to the extent of Rs.50,000/- with one or two sureties in the like amount.

(c) The applicant shall report to the concerned police station 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.)