

rajshree

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

ANTICIPATORY BAIL APPLICATION NO.2322 OF 2022

Ravi Amansingh Rajpurohit] .. Applicant

vs.

State of Maharashtra] .. Respondent

ALONGWITH

ANTICIPATORY BAIL APPLICATION NO.2376 OF 2022

Anil Dharendra Kotak] .. Applicant

vs.

State of Maharashtra] .. Respondent

Mr.Siddhesh Bhole i/b SSB Legal & Advisory, for the Applicant in ABA No.2322/2022.

Mr.Dhrutiman Joshi a/w Saahil Memon and Mahee Vohra i/b Link Legal for the Applicant in ABA No.2376/2022.

Ms.Padma Shelatkar for Intervenor in both Applications.

Mr.S.V. Gavand, APP for the State in both Applications.

Mr.Rajendra Kane, I.O. present.

CORAM : BHARATI DANGRE, J

DATE : 6th OCTOBER, 2022.

P.C. :

1] The learned APP, on instructions of the Investigating Officer Rajendra Kane, who is present in the Court state that, custodial interrogation of the Applicants is not necessary, since the complaint reveal that the Agreement which is alleged to have executed is of the

year 1994. He would make a categorical statement that as far as Applicant in ABA No.2322/2022 is concerned, he is auction purchaser whereas, the Applicant in ABA No.2376/2022 is the person whose property was auctioned and nothing remained in his hand for execution of the Agreement.

The learned counsel for the Intervenor states that the complainant has already instituted a Civil Suit and also state that some of the investors have approached the Civil Court seeking Specific Performance of the Agreement.

2] In the wake of aforesaid scenario which emerges from the reading of the complaint and the fact that the parties are now litigating before the competent Civil Court, custodial interrogation of the Applicants in order to investigate the Agreement pertaining to the year 1994, is not warranted. Both the Applicants, therefore, deserve protection from arrest.

Hence, the following order is passed :

ORDER

- (a) Applications are allowed.
- (b) In the event of arrest in connection with C.R.No.792/2022 registered with Vile Parel Police Station, the applicants Ravi Amansingh Rajpurohit and Anil Dharendra Kotak shall be released on bail on furnishing P.R. bond to the extent of Rs.50,000/- each with one or more sureties of the like amount.
- (c) The applicant shall report to the concerned police station as and when called for and shall render co-operation in completing the investigation.

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

[BHARATI DANGRE, J]