

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2395 OF 2022

Rakesh Fatelal Sharma	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.Sunil Pandey, for the Applicant.

Mr.H.J. Dedhia, APP for the State.

API Ravindra Patil and PSI Sukumar Patil, RCF Police Station present.

CORAM : BHARATI DANGRE, J

DATE : 10th OCTOBER, 2022.

P.C.

1] A limited role is attributed to the present Applicant in the subject CR which allege that 9 persons were inducted to part with money for making rooms available from the quota of MMRDA. The Applicant is alleged to be a Secretary of the society.

2] As per the statement of one of the victim, her husband had met the present Applicant who was running a jewellery shop and it was assured even by the Applicant that the room would be allotted to her. Admittedly, the Applicant is not alleged to have received any money.

3] As far as the main accused are concerned money has been given to them by the investors and it is not the case of the prosecution that any of such amount was received by the applicant.

4] Considering that the Applicant only re-assured the investors that all is fine in the transaction, I do not think that his custodial interrogation is necessary, particularly when the offence is registered in the year 2019 and till date charge sheet is not filed. It is informed that the main accused are still moving free and are not arrested.

5] In the wake of above, following order is passed :

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.89/2019 registered with RCF Police Station, the applicant Rakesh Fatelal Sharma shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (c) The applicant shall report to the Investigating Officer on 17.10.2022 and 18.10.2022 between 1.00 p.m. to 3.00 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 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]