

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

**VAISHALI
ANIL
TIKAM**

ANTICIPATORY BAIL APPLICATION NO.2532 OF 2021

Jaspal Singh Walia and Anr. Applicants

versus

The State of Maharashtra ... Respondent

.....

Mr. Sudeep Pasbola i/b Rahul Arote for Applicants
Smt. J.S. Lohokare, APP for the State/Respondent

**CORAM: SARANG V. KOTWAL, J.
DATE : 11th JANUARY, 2022
(Through Video
Conferencing)**

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R. No. 262/2001 dated 14th September, 2021 registered at Naupada Police Station Thane for the offence punishable under Sections 384, 385, 420 r/w. 34 of the Indian Penal Code.
2. Heard Mr. Sudeep Pasbola, learned counsel for the Applicants and the learned APP for the State.

3. The FIR is lodged by Dr. Sunil Vasant More. He has stated that he was working with the Thane Municipal Corporation since 2000. At the time of lodging of the FIR, he was suspended. It is the case of the Informant that in Augsut, 2020, C.R. No. 441 of 2020 was registered against him for the offence under Sections 409, 380, 34 of the Indian Penal Code at Dyghar Police Station. After this FIR was lodged against him, he was receiving calls from various people. One such call was from Rahul Shelar. He asked the informant to meet Applicant No.1. The informant was told that Applicant No.1 was a reporter and he had good connections with the Senior Police Officers at Thane. He would take Rs.10 lacs for settling the matter by speaking to Senior Police Officer. Applicant No.1 told the informant that he had spoken to the DCP and that he would see to it that the case was settled. Applicant No.1 also threatened the informant that he would be arrested if he sought help from someone else. On 27th September, 2020, the informant collected Rs.3 lacs amount from his friends and relatives, he met both the Applicants near

Applicant No.1's office. They accepted money. Applicant No.1 took him in his vehicle to Court Naka. He left the informant near the Police Rest House. He purportedly went to meet the DCP in the Police Rest House and he returned after 30 minutes and told the informant that the work was done. It is further mentioned in the FIR that in October, 2020, the anticipatory bail application filed by the informant before the Sessions Court at Thane was rejected. At that time, Applicant No.1 had asked for more money. The Informant gave him Rs. 2 lacs more. In December, 2020, the Informant got bail from the High Court. Even thereafter, Applicant No.1 took money from the informant on the pretext that it was needed for making payment to the Senior Inspect of Dyghar Police Station. The FIR mentions that they used to call the informant and threatened him that if he failed to pay the money, he get him arrested. Ultimately, the FIR came to be lodged.

4. The learned counsel for the Applicants submits that the offence punishable under Section 420 of IPC is not made out and section 385 of IPC is a bailable offence. The story mentioned in the FIR is not true. Applicant No.2 had not played any role in the said offence. The Applicant No.1 had in fact stood surety for the informant

5. The learned APP submitted that the allegations made in the FIR are serious in nature and money was continuously extorted. She submitted that in this case, custody of the Applicants is necessary.

6. I have considered the submissions made by both the counsel. I have also perused the FIR. The FIR clearly indicates that there are allegations that Applicant No.1 had extorted money from the informant by constantly putting him under threats. Even after the informant's bail was rejected by the Sessions Court at Thane, Applicants' demand for payment of money was continued. The Applicant No.2 was with Applicant No.1 when money was taken. The allegations are serious in nature. The

reference to Senior Police Officers about payment of money, in this case, needs to be investigated.

7. Therefore, in my view, the Applicants have not made out any case for grant of anticipatory bail. Hence, Anticipatory Bail Application stands rejected.

(SARANG V. KOTWAL, J.)