

Diksha Rane

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

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ANTICIPATORY BAIL APPLICATION NO.2728 OF 2022

STANLEY PONSWAMY NADAR ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Sanjeev Mishra for the applicant.
Mr. S. V. Gavand, APP for State.
Mr. Devidas Gajare, API, Malad Police Station.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 28, 2022.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for State.
- 2.** This is an application for pre-arrest bail in connection with C.R.No. 0526/2022 registered with Malad Police Station, for the offence punishable under Sections 406, 420, 465, 467, 468, 471 read with 34 of the Indian Penal Code.
- 3.** It is alleged that the original accused nos. 1 and 2 i.e. Arvind Sohanraj Jain and Reena Jain obtained a loan from Bharat Co-operative Bank by mortgaging the premises. It is

alleged that the accused submitted false and forged documents of NOC, allotment letter, share certificate, etc. in respect of these premises with the help of the present applicant. It is submitted that on the basis of the statement of the accused, the investigation is proceeded against the present applicant. The loan was taken by the accused nos.1 and 2. The documents are already on record.

4. Learned APP submitted that the applicant has reported to the Investigating Officer and co-operated with the investigation. Nothing incriminating against the applicant is pointed out.

5. Prima facie it does not appear that any material is available against the present applicant. The main allegation is against the accused no.1 & 2. The applicant is a practicing Advocate and there is no possibility of his absconding. He has roots in Mumbai. Looking at the nature of the allegations, the case is made out for grant of anticipatory bail. Hence the following order.

ORDER

(i) In the event of arrest in connection with C.R.No. 0526/2022 registered with Malad Police Station, the applicant-Stanley Ponswamy Nadar shall be released on bail on furnishing P.R. bond of Rs.25,000/- with one or more sureties of the like amount.

(ii) The applicant shall report to the concerned Investigating Officer as and when called.

(iii) 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 shall not tamper with evidence.

(iv) The application is disposed of.

(M. S. KARNIK, J.)