

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2978 OF 2022

Chintan Arvind Shah & Anr.	]	..	Applicants
vs.			
State of Maharashtra	]	..	Respondent

Mr.Niranjan Mundargi a/w Hemant Ingle i/b Pratik Ingle for the applicant.

Mr.S.V. Gavand, APP for the State.

Mr.R.P. Bayes, PI EOW, Thane Rural, present.

CORAM : BHARATI DANGRE, J

DATE : 20th OCTOBER, 2022.

P.C.

1] The Applicants who are erstwhile partners of M/s. Harmya Developers are apprehending arrest in CR No.111/2019 which has invoked offence under Section 406, 420 read with 34 of the IPC and relevant sections of MOFA Act as well as Section 3 of the MPID Act.

2] The learned counsel for the Applicant has invited my attention to the order passed by the learned Single Judge of this Court in Arbitration Petition instituted by the present Applicant where a specific plea was taken that the petitioners exited the development venture altogether and were absolved of all past, present and future liabilities and necessary steps are taken to publish the said declaration.

Accepting the said submission, following statement was recorded in the order :

“A statement is made by the Advocate on behalf of the Respondents on instructions that the Petitioners are in fact freed from all past, present and future liabilities in terms of clause 10 of the document dated 13th September 2014, Exhibit “B” to his Petition.”

3] Apart from this, the learned counsel for the Applicant has also placed on record an order passed in case of the continuing partner in light of the subsequent development, who came to be released on bail by this Court on 12.07.2022 in BA No.1594/2021.

4] On being confronted with the aforesaid material placed on record, the learned APP on instructions from the Investigating Officer, state that custodial interrogation of the Applicant is not necessary. However, he must render assistance to the Investigating Officer so as to enable him to complete investigation and file charge-sheet.

The said statement is accepted.

Hence, following order :

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.111/2019 registered with Economic Offences Wing, Thane (Rural), the applicants Chintan Arvind Shah and Vinit Arvind Shah shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- each with one or more sureties of the like amount.
- (c) The applicants shall report to the Investigating Officer on 26.10.2022 and 27.10.2022 between 3.00 p.m.

to 5.00 p.m. for two weeks 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]