

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

CRI. ANTICIPATORY BAIL APPLICATION NO. 3182 OF 2021

Raju Himmatlal Bhati	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Mr. Ravi P. Jadhav, for the Applicant.
Mr. R. M. Pethe, APP for the Respondent / State.

**CORAM : C.V. BHADANG, J.
DATE : 31 JANUARY 2022
(Through Video Conferencing)**

MAMTA
AMAR
KALE

Digitally signed
by MAMTA
AMAR KALE
Date: 2022.02.01
17:41:39 +0530

P.C.

. The Applicant, apprehending arrest, in connection with investigation of Crime No.286/2021 of Police Station Hinjewadi, District Pune, under Section 336, 419, 420, 465, 468, 471, 269 and 270 r/w. 34 of IPC and Section 3 of the Epidemic Diseases Act, 1897 and Section 11 of the Disaster Management Act, 2005 is seeking anticipatory bail.

2. The prosecution case is that on the basis of a prior information, a decoy customer was sent as there was information received that some persons are providing duplicate / fake covid reports to the travellers. In short, according to the prosecution, in

order to undertake travel, there was necessity for the travellers to hold a covid negative certificate which some persons were providing on consideration. Accordingly, co-accused Rakesh Vaishnav and Pattaram Devasi were arrested as they had provided fake certificates to the decoy customer Naresh Hiralal Mehta on payment of Rs.600/-. During the course of interrogation of Mr. Devasi, it was revealed that the certificates were generated by the present Applicant and were sent from his What's APP No.7972222099 to Mr. Devasi.

3. I have heard the learned counsel for the parties. Perused record.

4. In this case, the investigation is complete and the chargesheet is filed. Accused Nos.1 and 2 namely Pattaram Devasi and Rakesh Vaishnav were arrested and have been released on bail. The third accused is shown to be one Chiranjiv. However, his full name is not known. Accused No.4 is the present Applicant.

5. Learned APP has pointed out from the Prepaid Customer Application Form that aforesaid mobile number ending with 2099 is held by the Applicant. However, a specific query was made as to whether the Investigating Officer had found that there was any such covid negative certificates sent from the What's APP number of the Applicant ending with 2099 to the What's APP number of the co-

accused Pattaram Devasi or Rakesh Vaishnav. No such material was pointed out from the record. At this stage, learned APP submitted that the Applicant may be directed to join the investigation and surrender his mobile phone, upon which, further investigation, if any, can be carried out.

6. In that view of the matter and particularly, having regard to the fact that, the investigation in so far as two Accused are concerned is complete and the chargesheet is filed and in view of the statement made on behalf of the State, following order is passed.

ORDER

(i) In the event of his arrest, in connection with investigation of Crime No.286/2021 of Police Station Hinjewadi, District Pune, the Applicant be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The Applicant shall report to the Investigating Officer on 7/2/2022, 8/2/2022 and 9/2/2022 between 11.00 a.m. to 1.00 p.m. and as and when required.

(iii) The Applicant shall surrender his mobile phone bearing No. 7972222099 to the Investigating Officer,

if required and shall cooperate with the Investigating Agency.

(iv) The Applicant shall not tamper with the prosecution evidence and shall not indulge into similar act, while on bail.

(v) In the event of breach, the bail is liable to be cancelled.

(vi) The Criminal Application is disposed of, in the aforesaid terms.

C.V. BHADANG, J.