

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.3173 OF 2021

1.Ravilal Devjibhai Prajapati &
2.Jitendra Arjan Prajapati ...Applicants

Vs.

The State of Maharashtra ... Respondent

WITH

INTERIM APPLICATION NO.331 OF 2022

IN

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.3173 OF 2021

Yuvraj Sitaram Dhamale ...Applicant

IN THE MATTER BETWEEN

Ravilal Devjibhai Prajapati & Anr. ...Applicants

Vs.

State of Maharashtra & Anr. ... Respondents

Mr.Abad Ponda, Senior Counsel a/w Ms.Shweta R. Rathod i/b
Elixir Legal Services for the Applicants.

Ms.M.R. Tidke, APP for the Respondent-State.

Mr.Nitesh Mohite for the Intervenor.

CORAM : C.V. BHADANG, J.

DATE : 14 MARCH 2022

P.C.

. The Applicant No.1-Ravilal Prajapati and Applicant No.2-Jitendra Arjan Prajapati, apprehending arrest, in connection with the investigation of Crime No1036 of 2021 registered with Kondhwa Police Station, Pune, under Section 384, 386, 387 read

with Section 34 of Indian Penal Code, is seeking anticipatory bail.

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

3. The aforesaid crime is registered on the basis of the complaint dated 22 November 2021 lodged by Yuvraj Sitaram Dhamale, alleging that the Applicants have made a demand of Rs.15 lakhs to the informant else at the risk of initiating an action against the informant on behalf of the Society before the Real Estate Regulatory Authority.

4. Upon hearing the learned counsel for the parties, it appears that the Applicants have independent dealings with the informant about the sale of certain furniture items. It is contended on behalf of the Applicants that the amount towards the price of such items supplied to the informant were part of the demand. There was no extortion on the part of the Applicants.

5. The learned Senior counsel for the Applicants have also referred to certain whats-app messages in which the informant had exchanged best wishes on anniversary to the Applicants. It is submitted that the informant is not expected to

exchange such best wishes, had there been any demand by the Applicants as alleged.

6. Looking to the nature of the allegations, I do not find that the custodial interrogation of the Applicants are warranted. In such circumstances, the following order is passed.

ORDER

(i) In the event of his arrest in connection with investigation of Crime No.1036 of 2021 registered with Kondhwa Police Station, the Applicant No.1- Ravilal Devjibhai Prajapati and Applicant No.2- Jitendra Arjan Prajapati shall 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 applicants shall report to the Investigating Officer on 21 and 22 March 2022 between 11.00 am to 1.00 p.m. and as and when called by the investigating officer and shall co-operate with the Investigating Agency.

(iii) The applicants shall not directly or indirectly make any attempt to contact the informant or otherwise tamper with the prosecution evidence/witnesses.

(iv) The Applicants shall surrender his mobile phone to the Investigating Officer if asked for.

- (v) The Criminal Application is disposed of in the aforesaid terms.
- (vi) The Interim Application is also disposed of.

C.V. BHADANG, J.