

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3369 OF 2022

Aarshad S. Nadaf ...Applicant
V/s.
State of Maharashtra ...Respondent.

Mr. Ganesh Gole i/b Mr. Aarif Ali M Ali for the Applicant.
Mrs. Rutuja Ambekar, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 13.03.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.168 of 2022 registered at Radhanagari Police Station, Kolhapur for the offences punishable under Sections 420 and 406 read with 34 of the Indian Penal Code.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent state.
4. The allegations against the present applicant and other co-accused are of cheating the investors to the tune of more than Rs.7,51,34,000/-

5. This Court on 19 December 2022 passed the following order:

The learned APP seeks time to take instructions from the concerned Investigating Officer.

2. The learned counsel for the applicant submits that applicant has nothing to do with the alleged crime. It is submitted that applicant, who is a student, came to be roped in as he is the son of accused No. 1. It is submitted that according to the prosecution, the applicant has received in his bank account an amount of Rs. 13,75,000/- from the bank account of original accused No. 1. It is further submitted that the applicant is willing to deposit the said amount of Rs. 13,75,000/-.

3. The applicant is permitted to deposit the amount of Rs. 13,75,000/- by next date. List application on 11/01/2023. The applicant shall not be arrested till the next date."

6. The learned counsel for the applicant submits that pursuant to the above order dated 19 December 2022, the applicant has deposited the amount of Rs.13,75,000/-. The main allegations are against other co-accused. Considering the overall facts and circumstances, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Anticipatory Bail Application is allowed.

B) In the event of arrest of the applicant - Aarshad S. Nadaf, in C.R. No. 168 of 2022 registered at Radhanagari Police Station, Kolhapur for the offences punishable under Sections 420 and 406 read with 34 of the Indian Penal Code, the applicant be released on bail on executing P.R Bond in

the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation

[N.R.BORKAR, J.]