

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

ANTICIPATORY BAIL APPLICATION NO.203 OF 2023

Mohammed Suleman Niyaz Ahmed ..Applicant

VS.

The State of Maharashtra ..Respondent

Adv. Deepika Oswal a/w Kaif Ansari i/b Ashif Husain for the Applicant.

Ms. A. A. Takalkar, APP for the State.

A.T. Nevase, API, V.B. Nagar Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 16, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for pre-arrest bail by the applicant in connection with First Information Report (FIR) No.03 of 2023 dated 05/01/2023, registered with Vinoba Bhave Nagar Police Station, under sections 419, 420 and 447 of the Indian Penal Code, 1860.
- 3.** Learned APP opposed the application. It is the allegation of the prosecution that the applicant was collecting illegal parking charges without any authorisation.

This was in the vicinity of the V.B. Nagar police station. A dummy customer was sent along with the vehicle for parking where it was found that the applicant was collecting a sum of Rs.25/- per vehicle as parking charges.

4. According to the learned counsel for the applicant, he was an employee of the security agency engaged to guard the premises of the MMRDA. Learned counsel for the applicant submits and denies having collected such parking charges. Learned counsel for the applicant further submits that the applicant is willing to cooperate with the investigation and even undertake to reside outside the area of Vinoba Bhave Nagar police station till the filing of the charge-sheet. The statement is accepted. Considering the nature of the accusations, the custodial interrogation of the applicant is not necessary. Hence, the following order.

ORDER

(a) In the event of arrest of the applicant-Mohammed Suleman Niyaz Ahmed in connection with FIR No.03 of 2023, registered with Vinoba Bhave Nagar Police Station, shall be released on bail, on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount;

(b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence;

(c) The applicant shall report to the Investigating Officer on 21/02/2023 and 22/02/2023 between 11.00 a.m. and 1.00 p.m and thereafter as and when called;

(d) The applicant shall co-operate with the investigation;

(e) The applicant shall not enter the area of Vinoba Bhave Nagar Police Station, except for the purpose of attending the Investigating Officer.

5. The application stands disposed of.

(M. S. KARNIK, J.)