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

CRIMINAL APPLICATION NO.59/2022

GLYNIS M.SEQUEIRA

..APPLICANT

VS.

THE STATE OF MAHARASHTRA & ANR.

..RESPONDENTS

Adv. Vaibhav V. Ugle for the applicant.
Mr. S. V. Gavand, APP for State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 3, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. Learned counsel for the applicant/complainant submitted that the applicant/complainant had parted with huge amount of money. Even her parents savings were paid to the accused. It is submitted that the accused-Amit Bharat Shah played active part in the commission of the offence and cheated the applicant. Learned counsel further submitted that the trial Court committed an error in releasing the accused -Amit Bharat Shah on bail without even imposing any conditions.

3. I have gone through the order passed by the trial Court. I do not find any error in the exercise of the discretion as according to the trial Court the main accused is the brother of the present respondent-Amit Bharat Shah. It is further noted that there are no serious allegations made against the accused-Amit Shah in the commission of the alleged crime. It is further noted that the investigation relating to the accused-Amit Bharat Shah is completed, no purpose will be served by keeping the accused-Amit Bharat Shah behind the bar for more period. The accused will, undoubtedly, face the consequences post trial if the offence against him is proved. I do not see any reason to interfere in the exercise of the discretion by the trial Court while granting bail to the accused-Amit Bharat Shah.

4. The observations made by learned trial Court obviously are limited for the bail and the same shall not influence the learned trial Court during trial.

5. The application is rejected and disposed of accordingly.

(M. S. KARNIK, J.)