

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.370 OF 2023**

Rupesh Appa Shewale

..Applicant

VS.

The State of Maharashtra and anr.

..Respondents

Adv. Akshata Thombare a/w Adv. Sugandh Zende for the applicant.

Mr. S. V. Gavand, APP for the State.

Mr. Nivrutti More, PI, Wadala T. T. Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 14, 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 in respect of the offence punishable under Sections 406, 420, 465, 467, 469, 471 read with Section 34 of the Indian Penal Code, 1860 in connection with C.R. No.723 of 2022 dated 21/11/2022 registered with Wadala T. T. Police Station.

3. The allegation of the complainant that he wanted to buy a house in Mumbai. One of his acquaintance Mr. Baban Mehtar took the complainant to the applicant's father who was working as an estate agent. The applicant's father

(accused No.1) told the complainant that rooms on the 14th and 15th floors of SA falguni Building Himmat Nagar Wadala East Mumbai are available for sale. On the say of the accused No.1 the complainant was paid a sum of Rs.7 lakhs. It is alleged that a sum of Rs.2 lakhs was paid in the account of the present applicant. A reading of the FIR reveals that it is the accused No.1 i.e. the applicant's father who is working as an estate agent. Even the amount of Rs.2 lakhs which the applicant has received was at the behest of his father. It is the accused No.1 against whom mainly the allegations are made. The accused No.1 was arrested and since released on bail. In the present case, in my opinion, the custodial interrogation of the applicant is not required. The applicant must co-operate with the investigation.

4. Hence, the following order :-

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R. No.723 of 2022 registered with Wadala T. T. Police Station, the applicant-Rupesh Appa Shewale shall be

released on bail on furnishing P.R. Bond to the extent of Rs.15,000/- with one or more sureties in the like amount.

(c) The applicant shall report to the concerned police station on 17/02/2023, 18/02/2023 and 19/02/2023 between 11.00 a.m. and 1.00 p.m. and thereafter once in a month.

(d) The applicant to co-operate with the Investigating Officer.

(e) 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 and shall not tamper with evidence.

(f) The applicant shall furnish the details of his residential address and phone number to the investigating officer.

5. The Anticipatory Bail Application stands disposed of.

(M. S. KARNIK, J.)