

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

ANTICIPATORY BAIL APPLICATION NO. 708 OF 2021

Mahadev Appasaheb Jagtap ..Applicant

v/s.

The State of Maharashtra . ..Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO. 710 OF 2021**

Shraddha Yuvraj Takawane ..Applicant

v/s.

The State of Maharashtra . ..Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO. 709 OF 2021**

Nikesh Prakash Takawane ..Applicant

v/s.

The State of Maharashtra . ..Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO. 711 OF 2021**

Gaurav Rajesh Gite ..Applicant

v/s.

The State of Maharashtra . ..Respondents

Mr. Sanjeev Kadam, Counsel a/w. Aman Kacheria, Rahul Agarwal,
Jasmin Purani i/b. Rahul Agarwal for the Applicants.
Mrs. A.A.Takalkar, APP for the State.
Mr. Niranjan Mundargi i/b. Prasad Avhad for the Respondent.
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CORAM : ANUJA PRABHUDESSAI ,J.
DATED : 26th JUNE, 2023.

P.C.

1. The Applicants apprehend arrest in Crime No. 27 of 2020 registered with Malabar Hill Police Station, and being investigated by Economic Offences Wing for offences under Section 420, 465, 467, 468, 471 r/w. 34 of the Indian Penal Code.

2. Heard Shri Kadam, learned Senior Counsel for the Applicant. Mr. Mundargi for the Respondent and learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties .

3. The aforesaid crime was registered pursuant to the FIR dated 24.09.2020 Shriprakash Vinaykumar Sardesai . The facts narrated in the FIR prima facie reveals that the Applicant was desirous of assigning leasehold rights of plot of land situated at Akurdi, Pune as per the advice given by Raviraj Takavane . The Complainant incorporated the company and executed Memorandum of Understanding with M/s. R.T. Advisors, which was managed by said Raviraj. The first information report makes certain allegations against against said Raviraj Takavane. It appears that the grievance is essentially against the co-accused Raviraj Takavane. The only allegations against the Applicant are that Raviraj

Tekavane had inducted these Applicants as Directors.

4. Considering the nature of the accusations as against these Applicants, the Applicants were granted interim protection by order dated 12th March, 2021. Learned Sr. Counsel Shri Kadam states that despite interim protection, the Applicants were never called for interrogation. The above facts and circumstances would indicate that the presence of the Applicants is not required for custodial interrogation. Under the circumstances, in my considered view, this is a fit case to exercise discretion under Section 438 of Cr.P.C. Hence the order:-

(i) In the event of arrest of the Applicants in Crime No.27 of 2020 registered with Malabar Hill Police Station, and being investigated by Economic Offences Wing, the Applicants be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand Only) each with one or two sureties in the like amount;

(ii) The Applicants shall report to the Investigating Officer for two days on 29th and 30th June, 2023, between 11.00 a.m. to 2.00 p.m. and further as and when required by the Investigating Officer.

(iii) The Applicants shall keep the Investigating Officer informed of their current address and mobile/contact details, and/or change of

residence or mobile/contact details from time to time.

(iv) The Applicants shall not interfere with the Complainant and the other witnesses, or tamper with the evidence in any manner.

. **All Applications stand disposed of.**

(ANUJA PRABHUDESSAI, J.)