



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

BAIL APPLICATION NO.907/2023

MANISH GYANMOHAN SHUKLA

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. S. R. Phanse i/b. Adv. Nilesh Navale for the applicant.
Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 11, 2023.

P.C. :

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

2. This is an application for bail in respect of the offence punishable under Sections 406, 408, 409, 420, 465, 467, 468, 471, 120-B read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 10/10/2022 vide C.R. No.405/2022 with Khadakpada Police Station, Kalyan.

3. The applicant is the accused no.3. The applicant is a Joint Director of Crux Risk Pvt. Ltd. which rendered their services to the bank for verification of home address, office address and submit the report to the bank. In respect of 26

borrowers, on the basis of various reports submitted, the Cosmos Co-operative bank, Kalyan Branch, sanctioned loan of Rs,6,30,00,000/-. It is common ground that three borrowers have settled the accounts.

4. The present application is opposed by learned APP.

5. The applicant for the purpose of verification of home address, office address and for submitting the report was paid a sum at the rate of of Rs.130/- per report. 26 such reports were submitted. The bank while sanctioning loan relied on 37 documents out of which two documents were verified by the applicant's company with reference to the current residential and office address verification.

6. It is not the accusation that the applicant is a beneficiary of any amount in respect of which the loan has been sanctioned. The building in respect of which report is submitted was in existence. However, there has been an attempt on the part of some of the accused in projecting incorrect facts on the basis of which the report was submitted. The present applicant does not appear to be concerned with presenting incorrect facts purposely. These are *prima facie* observations not to influence the trial Court.

7. The applicant was arrested on 10/10/2022 and is in custody for more than eleven months with no possibility of the trial concluding any time soon. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. In my opinion, the applicant does not appear to be a flight risk. In the facts and circumstances of the present case, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Manish Gyanmohan Shukla in connection with C.R. No.405/2022 with Khadakpada Police Station, Kalyan, shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more sureties in the like amount.
- (c) The applicant shall attend the Investigating Officer of Khadakpada police station, Kalyan, once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.
- (d) 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.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall attend the trial regularly.

(g) The applicant shall surrender his/her passport, if any, to the investigating officer.

8. The application is disposed of.

(M. S. KARNIK, J.)