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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.669 OF 2021

Rajiv Ranjan Chaubey

...Applicant

vs.

State of Maharashtra

...Respondent

WITH

INTERIM APPLICATION NO.3146 OF 2021

IN

ANTICIPATORY BAIL APPLICATION NO.669 OF 2021

Ashutosh Chandra

...Applicant

vs.

State of Maharashtra

...Respondent

....

Ms. Tripti R. Shetty, for the Applicant.

Mr. Vinayak Tare, i/b. M/s. Kumar & Associates, for the Intervenor.

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

Mr. Devendra Shantaram Kate, API, Goregaon Police Station, Mumbai.

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CORAM : ANUJA PRABHUDESSAI, J.

DATE : 27 APRIL 2023

P.C. :

The Applicant apprehends his arrest in Crime No.524 of 2019 registered with Goregaon Police Station, Mumbai, for offences punishable under Sections 420, 406, 465 and 471 of the I.P.C.

2. Heard learned Counsel for the Applicant, learned APP for the State and learned Counsel for the Intervenor. I have perused the records and considered the submissions advanced by learned Counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by Ashitosh Chandrika Chandra. It is the case of the prosecution that the Applicant and his wife has posed as Directors of ENNAR Infotech Pvt. Ltd. and represented that the said company was about to start the Rural E-commerce and Rural Cinema Project, which was to be financed by Mr. Suri. The Applicant herein had introduced the First Informant to Mr. Suri. The First Informant claims that he was induced to invest in the said project on an assurance of high return. It is stated that the Applicant neither paid returns as assured nor returned the amount invested.

4. The Applicant herein is on interim bail since 11 March 2021. Learned Counsel for the Applicant submits that the Applicant has reported to the Investigating Officer and has handed over the mobile phone. Learned APP also accepts the said statement and further states that the investigation has been completed and the charge-sheet will be filed within two weeks. In such circumstances, no case is made out for custodial interrogation.

5. Hence, the application is allowed on the following terms and conditions:

- (i) In the event of arrest of the Applicant in C.R. No.524 of 2029 registered with Goregaon Police Station, Mumbai, the Applicant shall be released on bail on furnishing PR bonds in the sum of Rs.25,000/- with one or two sureties to the like amount;
- (ii) The Applicant is directed to report to the Investigating Officer as and when called by the Investigating Officer and shall co-operate with the investigation;
- (iii) The Applicant shall not tamper with the prosecution evidence and or influence the witnesses in any manner;
- (iv) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

6. Application stands disposed of. Interim application stands disposed of.

(ANUJA PRABHUDESSAI, J.)