

VRJ

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

ANTICIPATORY BAIL APPLICATION NO.1175 OF 2023

Mayur Hemrajbhai Chaudhari	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr. Aayush Pandey for the applicant.

Ms. Veera Shinde, APP for the respondent/State.

Mr. Sagar Savale, PSI, Kothrud Police Station is present.

CORAM : AMIT BORKAR, J.

DATED : JUNE 28, 2023

P.C.:

1. Apprehending arrest in connection with C.R. No.237 of 2022 registered with Kothrud Police Station, Pune for offences punishable under sections 406 and 420 of the Indian Penal Code, 1860, the applicant is seeking pre-arrest bail under section 438 of the Criminal Procedure Code, 1973.

2. According to the prosecution, the informant was introduced to co-accused Vishalbhai Rawal through a common friend. Said Vishalbhai Rawal promised handsome returns by investing money in stock market. He promised that he will double informant's money in short time. Accordingly, the informant invested an amount of Rs.29.50 Lakh periodically with Vishalbhai Rawal, but

thereafter he refused to repay the amount. Hence, the informant lodged a report.

3. The role attributed to the applicant is that he is the manager of Vishalbhai Rawal. He also asked the informant to invest with Vishalbhai Rawal.

4. On perusal of the material on record, it appears that the amount has been paid to Vishalbhai Rawal. Applicant has not received any amount from the investors. It appears that the applicant was working as a manager of Vishalbhai Rawal. Therefore, considering the role attributed to the applicant, the applicant has made out a case for relief under section 438 of the Criminal Procedure Code, 1973. Hence, following order:

a) In the event of arrest of the applicant in connection with C.R. No.237 of 2022 registered with Kothrud Police Station, Pune for offences punishable under sections 406 and 420 of the Indian Penal Code, 1860, the applicant shall be released on bail on furnishing PR Bond in the sum of Rs.25,000/-, along with one or two sureties in the like amount;

b) The applicant shall present before the investigating officer on 3rd, 5th and 7th July 2023 between 11:00 a.m. to 02:00 p.m and, thereafter, as and when called by the investigating officer;

c) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from

disclosing such facts to the court or to any police officer;

d) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

e) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

5. The anticipatory bail application is disposed of in above terms.

(AMIT BORKAR, J.)