

SA Pathan

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

ANTICIPATORY BAIL APPLICATION NO.2079 OF 2023

Girish Gajanan Parlikar & Ors. ... Applicants
V/s.
The State of Maharashtra ... Respondent

Mr. Ganesh Gupta a/w Mr. Nitin Kadam, Mr. Sahil Ghorpade, Mr. Prashant Kudche, Mr. Harshwardan Bengle i/by G. G. Legal Associates, for the Applicants.

Mr. Amit A Palkar, APP for the State-Respondent.

CORAM : AMIT BORKAR, J.

DATED : JULY 25, 2023

P.C.:

1. Apprehending arrest in connection with C.R.No.279 of 2023 registered with Bharti Vidyapeeth police station, Pune for offences punishable under Sections 406, 420 r/w 34 of the Indian Penal Code, 1860 (for short 'IPC') and under Section 3 of the Maharashtra Protection Of Interest Of Depositors Act, 1999, applicants are seeking relief of pre-arrest bail under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.PC.').

2. The informant lodged a report alleging that based on representation made by Mayur Satish Wandhare, Prashant Maruti Paigude and Ganesh Padwal, 40% returns on invested amount per month. Investors invested amount. In September, 2021, meeting of partners of Fast Track Trading Services at Ambegaon Pune and investors was held. It was represented that the amount shall be

invested in share market with assured returns 50% to 60% per month. The role attributed to applicants along with other persons is of making investors aware of additional information of 40% returns per month. Accordingly, agreement was executed by Ganesh Padwal on stamp paper. The amount of Rs.20 lakh was paid to the Fast Track Trading Services and additional amount of Rs.10 lakh was paid to Mayur Wandhare. Thereafter, additional amounts have been paid to the firm.

3. On perusal of the report and the agreement executed between Fast Track Trading Services and applicants, it *prima facie* appears that services of applicants were availed by Mayur and Ganesh for learning purpose. At this stage there is no material to indicate that applicants are ultimate beneficiary of the amounts invested with the Fast Track Trading Services or its three partners. Therefore, custodial interrogation of applicants is not necessary. Charge-sheet is already filed. Hence, following order:

a) In the event of arrest of applicants in connection with C.R.No.279 of 2023 registered with Bharti Vidyapeeth police station, Pune for offences punishable under Sections 406, 420 r/w 34 of IPC and under Section 3 of MPID Act, they be released on bail on furnishing P.R. bond of Rs.15,000/- each, along with one or two sureties in the like amount.

b) Applicants shall remain present before the concerned police station on 27th, 29th July, 2023 and 1st August, 2023 between 11:00 am to 2:00 pm and thereafter, as and when called by the investigating officer.

- c) Applicants 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) Applicants 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) Applicants shall, at the time of execution of the bond, furnish their addresses and mobile numbers to the investigating officer, and the Court concerned, and shall not change the residence till the final disposal of the case.
4. The anticipatory bail application stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)