

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

BAIL APPLICATION NO. 2617 OF 2022

Zorin Anil Solanki

...Applicant

VS.

The State of Maharashtra

...Respondent

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Ms. Anjali Patil for the Applicant.

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

Ms. Shubhangi Holkar, API, West Cyber Police Station, BKC,
Mumbai is present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 23, 2023

P.C. :

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

2. This is an application for bail by the applicant-Zorin
Anil Solanki in connection with C.R. No.56 of 2021 dated
08/12/2021 registered with West Cyber Police Station,
Crime Branch, BKC, Mumbai, for the offence punishable
under Sections 420, 506 read with Section 34 of the Indian
Penal Code, 1860 and under Sections 66(d) and 67 of
Information Technology Act.

3. The FIR was registered on 08/12/2021. The applicant

was arrested on 09/12/2021 and has undergone the custody for more than 1 year and 1 month. It is the allegation in the complaint filed by the victim that her father wanted her to get married and therefore the complainant registered herself on the matrimonial website www.Shaadi.com. The applicant contacted her through Instagram and then through Facebook. The applicant befriended the complainant. The applicant gained the trust of the victim and upon the victim requesting him to invest in stocks, the applicant promised that he would guide her. Accordingly, the victim transferred a sum of Rs.20,60,000/- to the applicant for investment purpose. The applicant however cheated the victim and failed to invest the said amount, leave alone the victim getting any return on such investment.

4. Learned counsel for the applicant submitted that the materials on record and the whatsapp chats would go to show that the applicant is a stock broker and it is the victim who has asked him to invest in stock which he did.

5. Learned APP pointed out that there are three

antecedents of similar nature reported against the applicant. While on bail, the present offence is alleged to have been committed by the applicant. It is alleged that the applicant has cheated three other gullible complainants by registering himself on the www.Shaadi.com website and similar *modus operandi* was adopted by the applicant in respect of those three complainants as well. In these circumstances, I did have some hesitation in granting bail to the applicant.

6. Learned counsel for the applicant then had indicated the willingness of the applicant to deposit the entire amount of Rs.20,60,000/- with the jurisdictional Magistrate. The same could abide by the orders of the competent Court. Accordingly, an affidavit came to be filed. In the affidavit the applicant has stated that a sum of Rs.4 lakhs will be deposited at the time of availing bail and the remaining sum will be deposited within the time framed stated by him in the affidavit. The affidavit is taken on record and marked as Exhibit 'X' for identification. The statements made in the affidavit are accepted as an undertaking to this Court. It is

in view of this affidavit, the terms of which the applicant has undertaken to abide, and the fact that the applicant is now in custody for more than 1 year and 1 month, I am inclined to release the applicant on bail despite three antecedents reported against the applicant.

7. Learned counsel for the applicant on instructions submitted that the applicant undertakes not to indulge in such activities. The applicant's mother is personally present in the Court.

8. Hence, the following order :-

ORDER

- (a) Application is allowed.
- (b) Applicant-Zorin Anil Solanki shall be released on bail in connection with C.R. No.56 of 2021 registered with West Cyber Police Station, Crime Branch, BKC, Mumbai on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) 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.

(d) The applicant shall report to the concerned Police Station twice a month of every alternate Sunday i.e. on 1st and 3rd Sunday of every month between 11.00 am and 1.00 pm. starting from February, 2023.

(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 abide by the statements made in the affidavit which is recorded as an undertaking given to this Court.

(g) In the event there is breach, it is open for the complainant or the prosecution to apply for cancellation of bail.

9. The Bail Application is disposed of.

(M. S. KARNIK, J.)