

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

ANTICIPATORY BAIL APPLICATION NO. 2158 OF 2023

Suresh Kumar Sagarmal Jain	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Gautam Jain for the Applicant.
Mr. S.V. Gavand, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 03rd AUGUST, 2023.

P. C. :-

. The Applicant apprehends his arrest in C.R.No.700/2022 registered with Meghwadi Police Station, Mumbai for offences punishable under sections 406, 420, r/w. 34 of the Indian Penal Code and sections 13 and 14 of The Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963.

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

3. The Applicant was one of the partners of M/s. Shanti & Santosh

Builders who has allegedly cheated the purchasers by not completing the construction within time. It is to be noted that the co-accused – Mahendra Shah who is one of the partners having 72.50% share in the partnership firm, has been granted pre-arrest bail by order dated 16/03/2023 in ABA No.63/2023.

4. In view of the reasons recorded in the said order, the Applicant is also entitled for pre-arrest bail. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.700/2022 registered with Meghwadi Police Station, Mumbai, he shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer for two days i.e., on 07/08/2023 and 08/08/2023 between 11:00 a.m. to 02:00 p.m.

(c) The Applicant shall not interfere with the complainant and the other witnesses and shall not tamper with the

evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

(d) 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.

5. The Application stands disposed of.

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JAYANI

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by PREETI
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Date: 2023.08.05
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(SMT. ANUJA PRABHUDESSAI, J.)