

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2500 OF 2021**

Anil Subhash Sawant ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Gaurav Parkar for the Applicant.

Ms Veera Shinde, APP for the State.

Mr. Anil Lad, PI, EOW Raigad, Present.

.....

CORAM : N.R. BORKAR, J.

DATED : 31 JANUARY 2023

P.C. :-

This is an application under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. On 7 October 2021, this Court passed the following order:

“1. Heard learned Counsel for the applicant.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 219 of 2021 registered with the Karjat Police Station, Raigad, for the alleged offences punishable under Sections 420, 406, 409, 469, 467, 468, 471, 120B of the Indian Penal Code and Sections 3, 8, 11 and 13 of the Maharashtra Ownership Flats (Regulation of Promotion, Construction, Sale, Management and Transfer) Act, 1963.

3. Learned Counsel for the applicant submits that the applicant is a nominee Director of Sheltrex Karjat Pvt. Ltd. He submits that the applicant was not concerned with the day to day activities of Sheltrex Karjat Pvt. Ltd. Learned Counsel for the applicant relied on page 29 in support of his submissions. He submits that subsequently, the applicant resigned from Sheltrex Karjat Pvt. Ltd.

on 31st January, 2017. He submits that as a nominee Director, the applicant could not be held liable for the activities of Sheltrex Karjat Pvt. Ltd and he has no concerned with the day to day activities of Sheltrex Karjat Pvt. Ltd.

4. Learned APP seeks time to take instructions.

5. Having heard the learned Counsel for the applicant, at this stage, the applicant has made out a case for grant of interim protection. Accordingly, the applicant is granted interim protection, till the next date, on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(ii) The applicant shall report to the Investigating Officer of the concerned Police Station on 12th, 14th, 16th, 18th, 20th, 22nd and 25th October, 2021 between 10.00 a.m. to 1.00 p.m. and thereafter, as and when called for;

6. Stand over to 17th November, 2021.

7. All concerned to act on the authenticated copy of this order.”

3. The allegations are of financial fraud. However, prima facie, there appears to be no incriminating material to connect the applicant with alleged crime.

4. The order passed by this Court on 7 October 2021 is hereby confirmed. Application is disposed of.

(N.R. BORKAR, J.)