

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

ANTICIPATORY BAIL APPLICATION NO.2639 OF 2022

Sanjiv Rasiklal Sheth ... Applicant
v/s.
The State of Maharashtra Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.2640 OF 2022**

Sangeeta Sanjiv Sheth ... Applicant
v/s.
The State of Maharashtra Respondent

Mr. Pritesh Upadhyay i/b. Mr. Hemant Chawla for the Applicants.
Ms. A.A. Takalkar, APP for the State.
Ms. Anandini Fernandes for Respondent No.2.
Mr. Rajesh G., PI, B.K.C. Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 18th APRIL, 2023.

P. C. :-

. These are the Applications under section 438 of Cr.P.C. filed by the aforesaid Applicants apprehending their arrest in M.E.C.R.No.04/2021 registered with B.K.C. Police Station, Mumbai for offences punishable under sections 406, 420, 465, 467, 120-B r/w. 34 of the Indian Penal Code.

2. Heard learned counsel for the Applicants, learned APP for the

State and learned counsel for the Intervenor. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the order passed by the learned Magistrate under section 156(3) of Cr.P.C. The allegations against the Applicants are that they had forged certain documents which were submitted to Dena Bank now Bank of Baroda, Juhu Branch and availed loan of Rs.12,20,00,000/- by mortgaging the said property.

4. The Applicants are on interim bail since 09/12/2022. Learned APP states that specimen signature of the Applicants is obtained and the same is forwarded to the handwriting expert. Learned APP further submits that the Applicants have co-operated with the investigation and that the investigation is completed. The presence of the Applicants is not required for the purpose of investigation and interrogation.

5. Under the circumstances, no case is made out for custodial interrogation. Hence, the Applications are allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicants in M.E.C.R.No.04/2021 registered with B.K.C. Police Station, Mumbai, they shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- each with one or two sureties in the like amount ;

(b) The Applicants shall report to the Investigating Officer as and when required by the Investigating Officer ;

(c) The Applicants 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 their current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

6. Both Applications stand disposed of.

PREETI
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JAYANI

Digitally signed
by PREETI H
JAYANI
Date: 2023.04.20
14:52:18 +0530

(SMT. ANUJA PRABHUDESSAI, J.)