

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

ANTICIPATORY BAIL APPLICATION NO. 3151 OF 2021

Ateev Vrajlal Gala

... Applicant

Vs.

The State of Maharashtra & Anr.

... Respondents

None for the Applicant.

Mr. P. P. Devkar, APP for State.

Mr. Nilesh Mohan Wani, HC-1378 Neral Police Station.

CORAM : KISHORE C. SANT, J.

DATE : 12th March, 2024

P.C.:-

1. This Application is filed seeking bail in the event of arrest in connection with the FIR No. 0190 of 2021 registered with Neral Police Station for the offences punishable under Section 406, 420 of Indian Penal Code, 1860 and u/s Section 4 of Maharashtra Ownership Flat Act, 1963.

2. The Informant a medical practitioner has got the information to the police that the present Applicant published on the name the advertisement in respect of flats at Wakas under the name of Vijay Group Housing Private Limited. The Applicant posed himself to be the Director of the said Company also accepted the amount towards flat. However he did not give possession of the flat neither refunded the amount. The Informant is thus duped for an amount of Rs. 12,52,716/- the amount was paid in the year 2018. The information is lodged on 18th September, 2021, on the basis

of the information police registered an offence. The Applicant apprehending his arrest, filed this Application on 13th December, 2021, however the same was not circulated. The matter was listed first on 5th March, 2024, in the special drive under taken by this Court. On 5th March, 2024, none had appeared for the Applicant, this Court therefore adjourned the matter to today by way of last chance. It was made clear that, if none appears on the next date this Court would consider the Application with the assistance of the learned APP in the absence of Applicant.

3. Learned APP handed over the report of the police from the report it is seen that there are criminal antecedents. The Applicant is seen involved in similar type of cases and a total amount involved is Rs. 339 Crores. Following offences are registered against this Applicant.

i) FIR No. 0267 of 2022 dated 28.06.2022 Kasar Vadvali Police Station District Thane, for offences punishable under Section 406, 420 r/w 34 of the Indian Penal Code.

ii) FIR No. 0283 of 2022 dated 27.07.2022 Kasar Vadvali Police Station, District Thane for offences punishable under Section 406, 420 r/w 34 of Indian Penal Code.

iii) FIR 0318 of 2022 dated 11.09.2022 Kasar Vadvali Police Station, District Thane for offences punishable under Section 420, 465, 467 and 471 of the Indian Penal Code.

4. It is further submitted that the Applicant is absconding he has

neither attended the police station. In spite of inquiries he is not found at his residence. In spite of efforts the police could not find whereabouts. Considering all above, this Court finds that no case is made out to allow the Application.

5. The Application stands dismissed.

(KISHORE C. SANT, J.)