

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

BAIL APPLICATION NO. 190 OF 2024

**SAYALI
DEEPAK
UPASANI**

Prashant Pitamber More

...Applicant

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by SAYALI
DEEPAK
UPASANI
Date: 2024.07.09
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Vs.

The State of Maharashtra

...Respondent

Mr. Ranjeet H. Patil with Sumitkumar Nimbalkar with Ms. Kalpana U.
Chate, Advocate for Applicant.

Mrs. Veera Shinde, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 8th JULY, 2024

PC:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 404 of 2022, registered with Panvel City Police Station for the offences punishable under Sections 420 and 170 read with Section 34 of the Indian Penal Code, 1860.

3) The applicant and the informant are friends and on the advice of the applicant, the informant decided to get more returns i.e. Rs.3 Crores against Rs.2 Crores of old currency, informant paid Rs.2 Crores.

4) Having considered the charge-sheet and the material collected by the Investigating Officer during the investigation, it is evident that the informant did not hand over money to the applicant or he was not present on the spot of the incident. Moreover, nothing is pointed out that the applicant was part of the conspiracy.

5) In addition to this, there are no antecedents against the applicant. The applicant was arrested on 13th April, 2023 and as such, he is in jail last more than one year. In the present matter, charge-sheet has been filed and, therefore considering the nature of the evidence collected by the Investigating Officer against the applicant, I am of the opinion that further custody of the applicant is not necessary in this case.

6) In the circumstances, though the learned APP is strongly opposing the present application, for the above referred reasons, I am of the opinion that the applicant is entitled for grant of bail.

ORDER

- i) The Criminal Bail Application is allowed.
- ii) It is directed that the applicant shall be released on

bail in connection with Crime No. 404 of 2022, registered with Panvel City Police Station for the offences punishable under Sections 420 and 170 read with Section 34 of the Indian Penal Code, 1860), on furnishing PR. Bond of Rs.25,000/-(Rupees Twenty-Five Thousand) with solvent surety in the like amount;

iii) The applicant shall attend the said Police Station on 1st day of each month between 10:00 am and 12:00 noon till the conclusion of the trial except on the date of trial;

iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

v) Liberty is granted to the State to apply for cancellation of bail in case the applicant commits the similar offence.

vi) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

The Criminal Bail Application is **disposed of** accordingly.

[ANIL S. KILOR, J.]