

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

ANTICIPATORY BAIL APPLICATION NO.360 OF 2024

Ms. Anuja Rajan Salvi & Anr.

.... Applicants

versus

The State of Maharashtra

.... Respondent

.....

- Mr. Sudeep Pasbola a/w Rahul Arote, Advocate for Applicants.
- Mr. H. S. Venegavkar (PP) a/w Ms. Pallavi N. Dabholkar, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 22nd FEBRUARY, 2024

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.24/2024, dated 18/01/2024, registered with Ratnagiri City Police Station, Ratnagiri, under sections 13(1)(b), 13(2), and 12 of the Prevention of Corruption Act, 1988.

2. Heard Mr. Sudeep Pasbola, learned counsel for the Applicants and Mr. H. S. Venegavkar, learned PP for the State.

3. The Applicant No.1 is the wife and the Applicant No.2 is the son of Mr. Rajan Salvi, who is the MLA of Rajapur Constituency. The investigating agency conducted investigation for the period of October 2009 to 02/12/2022 on the allegations that Rajan Salvi and both these Applicants have amassed disproportionate assets, which were much higher than their known source of income. The FIR gives the details of the properties held by all the accused, their claimed sources of income, the expenditure and thereafter the investigating agency has arrived at the figures of the disproportionate assets held in the name of the three accused. The FIR mentions that the Applicant No.1 had disproportionate assets to the tune of Rs.1,34,75,059/-, which was 297.99% higher than the known source of income. The Applicant No.2 had disproportionate assets worth Rs.87,25,613/- which was 721.60% higher than the known source of income. The other accused Rajan Salvi had 54.91% assets higher than the known source of income. The FIR mentions that the investigating agency had not accepted the

claim of the present Applicants about their source of income. The FIR mentions in detail the properties which were acquired, the loan taken by the accused, purchase of vehicles, their savings accounts, insurance policies, construction of a bungalow, purchase of lands etc.

4. As far as her source of income is concerned, the Applicant No.1 has claimed that she had a business of photocopy machine and typing centre. But according to the investigating agency, she had not produced any documents including the agreement for any premises occupied for that purpose nor any documents showing purchase of typing machines, payment of salary to the employees, etc. The Applicant No.1 has also claimed that she had a source of income from the business of purchasing and selling mangoes. According to the investigating agency, she had not produced any receipts showing purchase and sale of mangoes and she had not produced any account statements.

5. The Applicant No.1 has also claimed that she was carrying on business of Kokan Railway booking. In that respect also, she had not produced any document. The FIR mentions that the Applicant No.1 had claimed an income of Rs.41,27,288/- from those sources, but it was not accepted by the investigating agency for the above reasons.
6. The Applicant No.2 has claimed that he had an income of Rs.21,78,262/-, as he was in business of supplying labour and sub-contractors. However, he has not produced any documents in that behalf. He has not produced any agreements. The FIR mentions some other sources of income which were claimed by all the three accused together. This claim is rejected by the investigating agency. Those sources of income were in respect of taking loan from different people, taking material for their constructions, etc. The investigating agency had rejected these claims because, again, no documents were provided. Learned P.P. referred to the statements of some persons who had given the loan to this family. He submitted that they did not have

sufficient source of income themselves.

7. Learned counsel Mr. Pasbola states that the allegations in the FIR in that behalf are not correct. The Applicants have all the necessary documents to support their claim of having those sources of income. He submitted that the Applicants are willing to remain present before the investigating agency and provide all the necessary documents and they are in a position to explain their sources of income.

8. Learned PP Mr. Venegavkar submitted that the Applicants may fabricate the documents and produce them.

9. I have considered these submissions. If the accused have those documents then they can produce them before the investigating agency and explain their position. If the investigating agency is not satisfied with the genuineness of the documents, they can still proceed with their investigation in that behalf. For the time being, the Applicants can be protected on

the condition to appear before the investigating agency to cooperate with the investigation by producing all the necessary documents and explain how their assets are not disproportionate to their source of income.

10. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.24/2024, dated 18/01/2024, registered with Ratnagiri City Police Station, Ratnagiri , till the next date, the Applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) each, with one or two sureties each, in the like amount.
- (ii) The Applicants shall attend the concerned Police Station from 04/03/2024 to 08/03/2024 between 01.00 p.m. to 05.00 p.m. and thereafter as and when called and shall cooperate with the investigation.

(iii) This order shall operate till 02/04/2024.

(iv) Stand over to 02/04/2024.

(SARANG V. KOTWAL, J.)