IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 374 OF 2024

Pushpendra Manmal Angara ..Applicant
Versus
The State of Maharashtra ..Respondent

Ms. Isha Saglani i/b. Siddhant B. Kusalkar for Applicant.
Mr. Nitin B. Patil, APP for State/Respondent.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 27 FEBRUARY 2024

P.C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No.114 of 2023 registered at D.B.Marg Police Station, Mumbai, on 27.04.2023, under Sections 420 and 409 r/w. 34 of the Indian Penal Code.

2. Heard Ms. Isha Saglani, learned counsel for the applicant and Mr. Nitin Patil, learned APP for the State.

3. The F.I.R. is lodged by one Savalchand Bafna. He has stated that the present applicant introduced one Pravin Khakhar to the informant and his son. In August 2018, Pravin Khakhar told

them that he had a business by the name M/s. Janu International. He was in the business of getting employment for interested parties in the foreign countries. He represented that, there was good profit in the business. It is the case in the F.I.R. that the present applicant assured the informant that the representation made by Khakhar was correct and the informant should go ahead with the investment. The case of the informant is that, he invested Rs.75 lakhs with the said Khakhar but ultimately, on some pretext or the other this amount was not returned. The informant came to know that, till today, the said Khakhar had not given job to a single person in any foreign country. The informant realized that he was cheated and therefore the F.I.R. is lodged. In the meantime, the informant lost his son and, therefore, there was a delay in lodging the F.I.R.

4. Learned counsel for the applicant submitted that, there is a civil suit pending between the first informant as the plaintiff and the applicant as the defendant No.2 in respect of the property at Tungarli village. She submitted that, to pressurize the applicant in respect of that suit property, the present F.I.R. mentions the

name of the present applicant. There is no active role played by him.

5. Learned APP, based on the investigation carried out so far, submitted that, there are bank entries which show that, since the money was paid by the informant to the co-accused Khakhar within a short time, it was transferred in the applicant's account. It shows that the applicant is actively involved and he is using the co-accused Khakhar for his own benefit.

6. To this submission, learned counsel for the applicant pointed out that, there were other bank entries which show that, even the applicant has transferred heavy amount in the account of the first informant. The first informant has not mentioned this fact in his F.I.R. She submitted that the applicant is in a position to explain their exact business dealings.

7. Considering this situation, it is necessary that the investigating agency verifies the claim of the present applicant by making necessary enquiries. For that purpose, the applicant can be directed to remain present before the investigating officer and to

co-operate with the investigation. Till then, the applicant can be protected by way of ad-interim order.

8. Hence, the following order.

<u>O R D E R</u>

i) In the event of his arrest in connection with C.R.No.114 of 2023 registered at D.B.Marg Police Station, Mumbai, till the next date, the Applicant is directed to be released on bail on his executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

ii) This order shall operate till 04/04/2024.

iii) The Applicant shall attend the concerned Police Station from 12/03/2024 to 14/03/2024 between 1.00p.m. to 5.00p.m. and thereafter as and when called and shall cooperate with the investigation.

iv) Stand over to 04/04/2024.

(SARANG V. KOTWAL, J.)