IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 667 OF 2024

Ranjeetsing Bhanwarsingh Sisodiya ..Applicant
Versus
The State of Maharashtra ..Respondent

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Mr. Yashpal M. Thakur for Applicant.
Smt. M. H. Mhatre, APP for State/Respondent.

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CORAM :- SARANG V. KOTWAL, J.
DATE :- 12 MARCH 2024

P.C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No.19 of 2024 registered at Kamothe Police Station, Navi Mumbai, on 22.01.2024, under Sections 406 and 420 of the Indian Penal Code.

2. Heard Mr. Yashpal Thakur, learned counsel for the applicant and Smt. Mhatre, learned APP for the State.

3. The F.I.R. is lodged by one Baba Kolekar. He has stated that, he has a shop at Kamothe. He was in the business of making jewellery. On 16.10.2023, M/s. Mauli Buliyan, Shahapur, Belgaum,

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Karnataka, had given him 1 Kilo 80 grams of gold for making the gold jewellery. The informant knew the applicant since about 7 to 8 years. The applicant had his shop at Zaveri Bazar. The informant had transactions with the applicant since past five years. On 18.10.2023, the informant told him about the order received by him. The applicant and his employee Bhavar Singh came to the informant's shop and took away the gold weighing 1 Kilo 80grams for making jewellery. After that, under some pretext or the other, the jewellery was not made and the gold was not returned. On this basis the F.I.R. was lodged.

4. Learned counsel for the applicant submitted that the applicant had never met the informant in his life time. The allegations are false. The informant be directed to produce one single document showing the transaction between them. He submitted that, since the informant was having a gold jewellery shop, he was expected to have the CCTV camera covering his shop. The informant can produce the CCTV footage to show that the applicant had actually visited his shop and had taken away the gold. Learned counsel submitted that all this investigation would

show that the allegations are false.

5. As against these submissions, learned APP produced the investigation papers before me. She submitted that, there is a statement of one Pandharinath. He has stated that, on 18.10.2023, he had called the applicant and had told him to collect gold weighing 1.500 grams from the informant's shop. Accordingly, the applicant had taken that gold and had misappropriated it. She further submitted that, there are documents showing that the informant had actually purchased that gold. Therefore, the allegations in the F.I.R. are not false.

6. Considering both these submissions, the investigating officer can question the applicant about the submissions made by his counsel today in the Court. The informant can also produce the material which he has to counter the submissions made on behalf of the applicant. For that purpose, for the time being, the applicant can be protected by way of ad-interim relief with the directions to him to attend the concerned police station and to co-operate with the investigation.

7. Hence, the following order.

ORDER

i) In the event of his arrest in connection with C.R.No.19 of 2024 registered at Kamothe Police Station, Navi 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 16/04/2024.

iii) The Applicant shall attend the concerned Police Station from 26/03/2024 to 29/03/2024 between 1.00p.m. to 5.00p.m. and thereafter as and when called and shall cooperate with the investigation.

iv) Stand over to 16/04/2024.

(SARANG V. KOTWAL, J.)