

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

ANTICIPATORY BAIL APPLICATION NO. 842 OF 2024

(1) Santosh Kumar Iyer,	
(2) Sudha Bhalchandra Pai.	..Applicants
Versus	
The State of Maharashtra	..Respondents

Mr. Subodh Desai a/w. Aseem Naphade, Deepanjali Mishra and
Kiran S. Mohite i/b. Manoj M. Kodekar for Applicants.
Ms. Rajeshree V. Newton, APP for State/Respondent.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 17 APRIL 2024

P.C. :-

1. The Applicants are seeking anticipatory bail in connection with C.R.No.202 of 2024 registered at Andheri Police Station, Mumbai, on 08.04.2024, under Sections 406, 420, 465, 467, 468 and 471 r/w. 34 of the Indian Penal Code.
2. Heard Mr. Subodh Desai, learned counsel for the applicants and Ms. Rajeshree Newton, learned APP for the State.
3. The F.I.R. is lodged by one Rajdeep Saini. He was the Legal Advisor of M/s. Samruddhi Sponge Ltd. and Emmar Alloys

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Pvt. Ltd. The production unit of that company is in Jharkhand. His company is in the business of making iron blocks. For that they needed raw material which was brought from the mines in Khajuraho and Orissa. They needed transporters. It is alleged that, in November 2021 one agent by the name Fahim Khan had introduced the informant's Director Sujit Kumar to M/s. Mulura Logistics Pvt. Ltd., Bangluru. There were two Directors of that company; Mr. Muddasar and Mr. Dipesh. It was a transport company. The informant's company decided to enter into transaction with Mulura Logistics company by issuing work orders. Accordingly, the informant's company was getting supply of raw material. It is mentioned that, Mulura Logistics, in turn, had appointed one another company by the name S.K.I. Logistics Pvt. Ltd. Mulura Logistics used to issue bills on the letter head of M/s. Ezyhaul company. On those bills the informant's company used to make payment. Then, Mulura Logistics used to make payment to S.K.I. Logistics. That was the arrangement.

4. In January 2022, DHL company purchased 100% shares of Mulura Logistics. After that, the informant came to know

that the present applicants were the Directors of Mulura Logistics. The applicants sent an email in March 2022 to the informant's company asking for Rs.3,98,82,046/- as their outstanding bills. The informant's company made enquiries and they came to know that Mulura Logistics had used some false invoices/bills giving false registration numbers of the vehicle. According to the informant, they were cheated to the tune of Rs.5,89,38,451/-. On this basis the F.I.R. was lodged.

5. Learned counsel for the applicants submitted that the concerned bills and the invoices were raised till November 2021. As per the F.I.R. itself, the applicants came in the picture as the Directors of Mulura Logistics from January 2022 when DHL company had taken over Mulura Logistics. Therefore, the applicants have no concern with the invoices and bills raised prior to their becoming Directors in Mulura Logistics in January 2022.

6. Learned APP could not oppose these submissions based on the material collected during investigation. She submitted that, some more time was necessary to respond to these submissions.

7. In this view of the matter, the applicants can be

protected by way of ad-interim relief with directions to co-operate with the investigation.

8. Hence, the following order.

ORDER

- i) In the event of their arrest in connection with C.R.No.202 of 2024 registered at Andheri Police Station, Mumbai, till the next date, the Applicants are directed to be released on bail on their executing P. R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.
- ii) This order shall operate till 14/06/2024.
- iii) The Applicants shall attend the concerned Police Station from 07/05/2024 to 09/05/2024 between 1.00p.m. to 5.00p.m. and thereafter as and when called and shall cooperate with the investigation.
- iv) Stand over to 14/06/2024.

(SARANG V. KOTWAL, J.)