

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

Anticipatory Bail Application No. 1595 of 2024

Harvinder Singh Bindra
Aged about 56 years, Occ. Business,
R/at. Raheja Classique, Building No.4,
Flat No.2005/6/7/8, Near Infinity Mall,
Andheri (West), Mumbai – 400 053.

...Applicant

Vs.

1. The State of Maharashtra
(At the instance of Boiwada Police
Station, Mumbai)

2. Rajesh Kashinath Mirgal,
Age 54 years, Occ. Business,
R/at. 1001, Shri Datta Tower, Parel,
Mumbai – 400 012.

...Respondents

Mr. Murtaza Nazmi a/w. Mr. Dilip Shukla a/w. Mr. Karan Nichani i/b.
P. V. Nichani & Co., for the Applicant.

Mr. Amit A. Palkar, APP for the Respondent – State.

Mr. Kuldip T. Pawar, for the Respondent No.2 / Complainant.

PSI M. B. Dhumal, Bhoiwada Police Station, Mumbai is present.

Coram: R. N. Laddha, J.

Date: 19 August 2024

P.C.

. Heard Mr. Murtaza Nazmi, the learned Counsel appearing on behalf of the applicant and Mr. Amit Palkar, the learned Additional Public Prosecutor representing the respondent/ State.

2. This is an application for pre-arrest bail filed by the applicant, apprehending arrest in CR No.175 of 2024, registered at Bhoiwada Police Station, Mumbai, for the offences punishable under Sections 406, 420, 465, 468, 471, 506 read with 34 of the Indian Penal Code.

3. According to the prosecution, in September 2020, Jayesh Ajgaonkar introduced the informant to the applicant. The informant was informed that the NTC mill redevelopment project would be assigned to the applicant, and relevant documents were shown. Additionally, the applicant was allegedly promised the redevelopment of NTC mill chawls. To facilitate this, the applicant supposedly required three crores. The informant paid this amount to both the applicant and Jayesh Ajgaonkar. Later, the informant discovered that there was no actual NTC mill redevelopment work assigned to the applicant, leading to allegations of cheating.

4. Mr. Murtaza Azmi, the learned counsel for the applicant submits that the applicant has attended the police station, cooperated with the investigation, and also to show his bonafides, deposited Rs.1 Crore with the trial Court.

5. The learned Additional Public Prosecutor, on instructions from the investigating officer present in Court, makes a statement that the applicant's custody is not required as he had attended the police station and cooperated with the investigation.

6. Upon perusal of the records and in the light of the fact that applicant has deposited Rs.1 Crore in the trial Court, attended the concerned police station and cooperated with the investigation, and considering the no objection expressed by learned Additional Public Prosecutor, this Court is inclined to allow the application in the following terms:

(i) In the event of the applicant's arrest in connection with CR No.175 of 2024, registered at Bhoiwada Police Station, Mumbai, he shall be released on bail on furnishing a PR Bond of Rs.25,000/- with one or more sureties in the like amount.

(ii) The applicant shall attend the concerned police station as and when required by the investigating agency and cooperate with the investigation.

7. The application stands disposed of accordingly.

R. N. Laddha, J.