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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1857 OF 2024

Janardhan Vitthal ChandaneApplicant

Vs.

State of MaharashtraRespondent

WITH

INTERIM APPLICATION NO. 2693 OF 2024

IN

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1857 OF 2024

Rupesh Kumar Bhaidas AhireApplicant

IN THE MATTER BETWEEN

Janardhan Vitthal ChandaneApplicant

Vs.

State of MaharashtraRespondent

Mr. Sanjeev Kadam a/w Mr. Prashant Raul, Mr. Mayur Sanap i/b Mr.
Prasad Thonse for the applicant

Ms. S. G. Talhar APP for the State

Mr. Vivek Babar for the intervener

Mr. Devidas Songale, API, MRA Marg Police Station

CORAM : GAURI GODSE, J.

DATE : 25th JULY 2024

ORDER:

1. This application is filed seeking pre-arrest bail in connection with C.R. No. 198/2024 dated 3rd June 2024 registered with MRA Marg Police Station for offences punishable under sections 465, 466, 467, 468, 471, 420, 474 and 120-B and 34 of the Indian Penal Code. Anticipatory bail application filed before the Sessions Court is rejected on 26th June 2024. Hence, this application.

2. Learned counsel for the applicant submits that the allegation against the applicant is with regard to submitting forged and fabricated documents at the time of submitting tender documents. He further submits that on an application filed under Section 156 of Code of Criminal Procedure, 1973 by the complainant, the order was passed for registering F.I.R. He submits that all the documents submitted by the applicant are the documents which were submitted online in the tender process. He further submits that considering the allegations, investigation would pertain only regarding investigating documents. He

submits that applicant is ready to attend the concerned police station and cooperate with the investigation. He, thus, submits that considering the nature of allegations, custodial interrogation is not necessary. Learned counsel for the applicant also relied upon the ad-interim protection granted by this Court by order dated 27th June 2024 in Anticipatory Bail Application No. 1612 of 2024 to co-accused no. 2.

3. Learned APP submits that before registration of F.I.R., applicant had attended the police station, however, thereafter, he has not attended the police station for the purpose of investigation. She, therefore, submits that applicant be directed to attend the police station and comply with the requisitions that will be supplied by the investigating officer. She, further, submits that within two days, she will intimate to the learned advocate for the applicant regarding the requisitions to be complied by the applicant.

4. Learned counsel for the complainant submits that he has filed intervention application. He submits that the documents submitted by the applicant during the tender process are obviously forged and fabricated and hence, the applicant is not entitled to any protection.

5. Considering the submissions made on behalf of the parties and on perusal of the statement in the complaint, I do not find that custodial interrogation is necessary at this stage. Hence, till the next date, ad-interim protection is granted by passing following order:

ORDER

(i) In the event of arrest of the applicant in connection with C.R. No. 198 of 2024, dated 3rd June 2024, registered with the MRA Marg Police Station for alleged offences punishable under Sections 465, 466, 467, 468, 471, 420, 474, 120-B and 34 of Indian Penal Code, he be released on bail on furnishing P.R Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(ii) Applicant to attend the concerned police station on 27th July 2024 at 11.30 p.m. and report to the concerned Investigating Officer.

(iii) Applicant shall not directly or indirectly make any inducement, threat or any promise to any person acquainted with the facts of this case so as to dissuade him/her from

disclosing such facts to the Court or to any police officer.

(iv) Applicant shall keep the Investigating Officer informed of his address, e-mail id and mobile phone number and/or any change thereof if any, from time to time.

(v) Applicant shall not leave India without prior permission of the Court.

(vi) Parties to act on the authenticated copy of this order.

6. Stand over to 5th August 2024.

7. To be listed alongwith Anticipatory Bail Application No. 1612 of 2024.

[GAURI GODSE, J.]