

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

Anticipatory Bail Application No.2698 of 2024

Saiket Chatterjee

Age: 41 years, Occupation: Business,

Residing at: 708/709 Peninsula Plaza,

Fun Republic Lane, Andheri (West),

Mumbai – 400 053

... Applicant

v/s.

1. The State of Maharashtra

(Through Amboli Police Station,

Mumbai bearing C.R. No.463

of 2024)

2. Sunita Sameer Rane,

R/o. 3004, Ribona Building, A Wing,

Hiranandani Heritage, S.V. Road,

Kandivali West, Mumbai - 61

... Respondents

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Mr Anand Mishra a/w Vinamra Kamble i/by Siddharth Jaiswal,
for the Applicant.

Mr MG Patil, APP, for Respondent State.

Mr Gaurav Gavkar i/by Amandeep Bhattacharya for
respondent No.2.

API Satish Chougule, Amboli Police Station, is present.

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Coram : R.N. Laddha, J.

Date : 7 October 2024

P.C. :

Leave to amend to add the first informant as party

respondent to this application. Amendment to be carried out forthwith. Mr Gaurav Gavkar waives service of notice on behalf of the newly added respondent.

2. By this application, the applicant seeks pre-arrest bail, in connection with CR No.463 of 2024, for the offences punishable under Sections 420, 406 read with 34 of the Indian Penal Code (IPC).

3. The informant alleges that the applicant, along with co-accused, induced her and her relatives to invest in a company named "Agrio Green Private Limited" by promising substantial profits within a short period. They were assured that an investment of Rs.50,00,000/- would yield a return of Rs.75,00,000/- in a brief timeframe. Acting on this promise, they invested the said amount. However, neither the promised returns nor the original investment were returned to them. Furthermore, it is alleged that the applicant issued a cheque to the informant to settle the liability, however, this cheque was dishonoured upon presentation.

4. Mr Anand Mishra, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence,

arguing that the applicant has been falsely implicated in the present crime. The learned Counsel contends that the applicant, acting under the instructions of the co-accused, contacted the informant and handed over a security cheque of Qilin Global Private Limited of ICICI Bank. The applicant did not have any personal acquaintance with the informant, nor did he make any proposals or assurances regarding the investment of the informant's money. The mere fact that the informant observed the applicant counting the notes before handing them over to the co-accused does not mean that the applicant has committed any offence.

5. Mr MG Patil, the learned APP, on instructions, also states that the investigation has revealed the applicant has no connection with the Company whose cheque was dishonoured. The applicant was neither a director of the company nor a signatory to the cheque. However, the learned APP suggests that for thorough fair investigation, the applicant may be directed to attend the concerned police station and cooperate with the investigation. In view of these subsequent developments, as submitted by the learned APP, it appears that there is no need for the applicant's custodial interrogation.

Accordingly, the application is allowed. Hence, the following order :

ORDER

- (i) In the event of the applicant's arrest in CR No.463 of 2024, registered at Amboli Police Station, Mumbai, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.
- (ii) The applicant shall attend the concerned Police Station as and when required.
- (iii) The applicant, himself or through any other person, shall not tamper with the evidence or influence the witnesses.

6. The application stands disposed of accordingly.

[R.N. Laddha, J.]