

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

Anticipatory Bail Application No.1916 of 2024

1) Rajeshkumar Shukruram Chauhan
Age:- 54 years, Occ: - Insurance Agent

2) Dheeraj Rajeshkumar Chauhan
Age:- 23 years, Occ: - Student

Both are residing at 704, Sai Baba Co-Op
Housing Society, Radha Krishna
House Road, Andheri (E),
Mumbai 400 069

... Applicants

v/s.

1) The State of Maharashtra

2) The Senior Inspector of Police,
Vanrai Police Station, Mumbai

... Respondents

With

Interim Application No.3798 of 2024

In

Anticipatory Bail Application No.1916 of 2024

Deepti Ramswarup Sharma
Age: 48 years, Occ: Service,
Residing at 1/8 JJ Upadhyaya Chawl,
Pratap Nagar, Caves Road,
Jogeshwari East – 400 008

... Intervenor/
Orig. Complainant

In the matter between

1) Rajesh Kumar Shukruram Chauhan
Age: 54 years, Occ: Insurance Agent

2) Dheeraj Rajeshkumar Chauhan

Aged 23 years, Occ: student,
R/o 704, Sai Baba Co-Op Hsg Society,
Radha Krishna House Road,
Andheri (E), Mumbai 400 069

... Applicants

v/s.

1) State of Maharashtra

2) The Senior Inspector of Police,
Vanrai Police Station, Mumbai

... Respondents

With

Anticipatory Bail Application No.2092 of 2024

Ashok Goud

Age: 52 years, Occ. Business,
R/o- Ward No-17, Shankar Colony,
Happy Motors, Shah pura, Jaipur

... Applicant

v/s.

1) The State of Maharashtra

[At the instance of Vanrai Police
Station, Mumbai, C.R.No.125/2024]

2) Dipti S Sharma

R/o. 1/8, JJ Upadhaya Chawl,
Pratap Nagar, Caves Road,
Jogeshwari (E), Mumbai – 60

... Respondents

With

Interim Application No.3705 of 2024

In

Anticipatory Bail Application No.2092 of 2024

Deepti Ramswarup Sharma

Age: 48 years, Occ: Housewife,

Residing at 1/8 JJ Upadhyaya Chawl,
Pratap Nagar, Caves Road,
Jogeshwari East - 400 008

... Intervenor/
Orig. Complainant

In the matter between

Ashok B. Gaud
Age: 52 years, Occ. Business,
R/o. Ward No-17, Shankar Colony,
Happy Motors, Shah Puraa, Jaipur

... Applicant

v/s.

State of Maharashtra
Through Vanrai Police Station

... Respondent

Mr Vishal M Deshmukh, for the Applicant in ABA/1916/2024.

Mr Aman Kothari, for the Applicant in ABA/2092/2024.

Mr Ashish Dubey, for the Intervenor in both ABAs.

Ms Supriya Kak, APP, for the Respondent/ State.

PSI Bapurao Haral, Vanrai Police Station, is present.

Coram: R.N. Laddha, J.

Date: 20 September 2024

P.C.:

Heard the learned Counsel for the parties.

2. The applicants have filed these applications seeking pre-arrest bail in connection with CR No.125 of 2024, registered at Vanrai Police Station, Mumbai, for the offences punishable under Sections 406 and 420 read with 34 of the Indian Penal Code.

3. According to the First Information Report (FIR), the applicants, in connivance with the co-accused, misled the informant into investing a significant sum of Rs.19,82,500/-. They lured the informant with promises of high returns on the investment but failed to meet their financial commitments.

4. At the outset, the learned Additional Public Prosecutor representing the respondent/ State, confirms on instructions from the investigating officer present in the Court that the applicants have attended the Police Station and cooperated with the investigation. Furthermore, with the investigation now concluded, the prosecution does not seek the applicants' custody and consents to granting anticipatory bail on appropriate conditions.

5. Upon perusing the records, it becomes evident that the primary perpetrators of the alleged crime are the absconding co-accused, Pravinkumar and Jaiveer. Additionally, there appears to be a significant delay in the filing of the FIR. At first glance, the applicants do not seem to have benefited from or received any of the invested funds. The learned APP has acknowledged that the applicants have cooperated with the investigation, which is now complete, and therefore, their custody is not required. Furthermore, the prosecution has agreed to the granting of pre-arrest bail under appropriate conditions. Given these

circumstances, this Court is inclined to grant pre-arrest bail to the applicants. Hence, the following order:

ORDER

(i) In the event of the applicants' arrest in CR No.125 of 2024, registered at Vanrai Police Station, Mumbai, they shall be released on bail upon executing a PR Bond of Rs.25,000/- each and furnishing one or more sureties in the like amount.

(ii) The applicants, themselves or through any other person, shall not tamper with the evidence or influence the witnesses.

6. The applications stand disposed of accordingly. As a sequel, the interim applications also stand disposed of.

[R. N. Laddha, J.]