

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

Anticipatory Bail Application No.2552 of 2024

Rajkumar Amarchand Chugh

Adult, Aged 69 years, Indian Inhabitant,

Occupation: Business,

Flat No.C-1205, Saptaratna Tower,

Sunder Nagar, Malad (West),

Mumbai – 400 064

... Applicant

versus

The State of Maharashtra

Through Borivali Police Station

In CR No.167/2024

... Respondent

Mr Nitesh Pandey i/b. Prerak Choudhary, for the applicant.

Mr Prashant Jadhav, APP, for the respondent/ State.

PSI Mr Prashant Malvade, Borivali Police Station, Mumbai, is present.

Coram: R.N. Laddha, J.

Date: 12 June 2025.

P.C.:

The applicant apprehends arrest in connection with CR No.167 of 2024, registered at Borivali Police Station, Mumbai, for offences punishable under Sections 420, 465, and 468 read with 34 of the Indian Penal Code, and has filed the present application seeking pre-arrest bail.

2. The prosecution alleges that from August 2023 to March 2024, the co-accused colluded with one another to defraud the informant by selling him a flat for Rs.30 lakhs, despite the property having been previously sold in a court auction to another buyer. They allegedly induced the informant to execute and register a fraudulent sale agreement, thereby deceiving and misleading him. In this situation, the applicant is said to have acted as a broker, facilitating the meetings between the informant and the co-accused.

3. Heard Mr Nitesh Pandey, the learned Counsel appearing on behalf of the applicant, and Mr Prashant Jadhav, the learned Additional Public Prosecutor representing the respondent/ State.

4. The learned Counsel appearing on behalf of the applicant contends that the applicant has been falsely implicated in the present crime. The applicant served solely as a broker and received a fee of Rs.50,000/-. He was neither directly nor indirectly involved in the alleged offence. According to the complaint itself, the primary accusations are directed towards the co-accused, and the applicant had no role in the alleged offence. The learned Counsel submits that the applicant is a senior citizen and is not a flight risk. To show his *bona fides*, the applicant has deposited Rs.50,000/- received as brokerage

with the Registry of this Court. The applicant is ready and willing to comply with any conditions imposed by this Court, including reporting to the concerned Police Station, if granted bail.

5. At the outset, the learned Additional Public Prosecutor representing the respondent/ State, on instructions from the investigating officer present in the Court, submits that the investigation has been completed and the charge sheet will be filed shortly. The prosecution does not seek the applicant's custody.

6. Upon perusing the records, it appears that the applicant's role is limited to his services as a broker, and he has deposited the brokerage, which he has received, with the Registry of this Court. The investigation has concluded, and a charge sheet will be filed shortly. Moreover, on instructions from the investigating officer, the learned APP states that the prosecution does not require the applicant's custody. Given these circumstances, this Court deems it fit to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in connection with 167 of 2024, registered at Borivali 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 on 16 June 2025 between 11:00 a.m. and 2:00 p.m.

(iii) The applicant shall not indulge in any activities that may tamper with the evidence or influence witnesses.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)