

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3631 OF 2024

Mohd. Kaish Rehmani s/o. Imtiyaz Ahmad ...Applicant

V/s.

The State of Maharashtra ...Respondent.

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Mr. Hrishikesh Mundargi a/w. Mr. Meghdeep Oak, Mr. Dhananjay Bhosale, Mr. Rohan Kharat and Mithilesh Tiwari a/w. A.K. Upadhyay for the Applicant.

Ms R.D. Humane, APP for the Respondent/State.

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CORAM : N.R. BORKAR, J.
DATE : 14.01.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 509 of 2024 registered at MIDC Bhosari Police Station, Pune for the offences punishable under Sections 406, 420, 465, 467, 468 and 471 of the Indian Penal Code (IPC).
3. According to the prosecution, the present applicant took Aadhar Card, PAN Card and Light Bill of the complainant on the pretext he would help him in getting loan from the bank. It is alleged that he misused the said documents of the complainant for incorporating the company by name D.B. Enterprises. It is alleged that the applicant through the said company entered into various business transactions during the period from 03.04.2023 to 29.04.2023 to the tune of amount of Rs.5,76,19,826/-. It is alleged that towards the said transaction the applicant accepted

GST amount of Rs.1,03,71,568.70/- from the customers. It is alleged that the applicant had not paid the said GST amount to the government.

4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.

5. The learned counsel for the applicant submits that the applicant has nothing to do with alleged non-payment of GST. It is submitted that the possibility of lodging the false report to avoid liability of payment of GST cannot be ruled out. It is submitted that nothing is to be recovered at the instance of applicant and therefore, there is no need of custodial interrogation.

6. On the other hand, learned APP submits that the Investigating Officer has recorded the statement of the witnesses who entered into business transactions with D.B. Enterprises. The said witnesses have stated that the applicant was managing the affairs of D.B. Enterprises.

7. Considering the statement of the said witnesses, I am not inclined to release the applicant on anticipatory bail. Hence, the Application stands rejected.

[N.R.BORKAR, J.]