

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

ANTICIPATORY BAIL APPLICATION NO. 2425 OF 2023

Anupreeta Ramjayam Govindraj and Anr. ... Applicants

Versus

State of Maharashtra ... Respondent

WITH

INTERIM APPLICATION NO. 3899 OF 2023

IN

ANTICIPATORY BAIL APPLICATION NO. 2425 OF 2023

Avani Amod Sortur and Anr. ... Applicants

In the matter of

Anupreeta Ramjayam Govindraj and Anr. ... Applicants

Versus

State of Maharashtra ... Respondent

WITH

INTERIM APPLICATION NO. 3803 OF 2023

IN

ANTICIPATORY BAIL APPLICATION NO. 2425 OF 2023

Minal Mallikarjun Swami ... Applicant

In the matter of

Anupreeta Ramjayam Govindraj and Anr. ... Applicants

Versus

State of Maharashtra ... Respondent

WITH

INTERIM APPLICATION NO. 17 OF 2024

IN

ANTICIPATORY BAIL APPLICATION NO. 2425 OF 2023

Sanjay Shyamrao Yeawle ... Applicant

In the matter of

Anupreeta Ramjayam Govindraj and Anr. ... Applicants

Versus

State of Maharashtra ... Respondent

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Mr. Hrishikesh Ghorpade a/w. Mr. Siddharth N. Sutaria i/b. Mr. Siddharth Mehta, Advocates for the Applicant in ABA/2425/2023.

Mr. Ritesh Thobde a/w. Zubi Ansari, Advocates for Intervenor/Applicant in IA/3803/2023.

Mr. Nagesh Khedkar, Advocate for the Intervenor.

Mr. Parth S. Vadhan i/b. H.I.Sirguroh, Advocate for the Applicant in IA/3899/2023.

Mr. Avinash Naik, APP for the State.

CORAM : SHIVKUMAR DIGE, J.

DATED : 14th FEBRUARY, 2025.

P.C. :

1. The applicants apprehending their arrest, in connection with investigation of Crime No. 485 of 2023 registered with Bharti Vidhyapith Police Station for the offence punishable under Sections 406, 420 read with 34 of the Indian Penal Code ("IPC" for short).

2. It is prosecution's case that the applicants have cheated the first informant on the ground of taking franchise of his business. They had taken money from him but it has not returned.

3. It is contention of learned counsel for the applicants that matter is settled between the applicants, first informant and investor- Minal Swami and they have recorded the Consent Terms.

4. Learned counsel further submitted that as allegations against the applicants are that, the applicants have cheated the first informant, the applicants have deposited the amount liable to pay to first informant and investors before the Trial Court and the applicants have no objection if first

informant and investors file application for withdrawal of the said amount. The Consent Terms are executed between the first informant and the applicants.

5. The learned APP submitted that the applicants have cheated first informant and investors. The offence is registered against them. Their custodial interrogation is required and requested to reject the application. The learned APP further submitted that there are other investors who have been cheated by the applicants hence requested to reject the applications.

6. It is contention of the learned counsel for the applicants that applicants are ready to pay the amounts qua the victims / investors and not the partners of the applicants.

7. It is contention of the learned counsel for the intervenor on behalf of the partners that the applicants have cheated them and he is opposing the anticipatory bail application.

8. It is contention of the learned counsel for the applicants that the partners of the company cannot be considered as investors. Learned counsel further submits that the applicants are ready to pay the amount to other victims if they appear before the Trial Court. His statement is accepted. Learned counsel further submits that applicants are on interim relief since last two years. Matter is settled with the investors and not with partners of the applicants. Learned counsel for the applicants tendered

Consent Terms. It is taken on record and marked as “X” for identification, hence requested to allow the application.

9. Learned counsel for the intervenor submitted that they have no objection to allow the application.

10. I have heard all learned counsel. Perused FIR and documents produced on record. The allegations against the applicants are that they have cheated the first informant and investors. Now the matter is settled between them out of the Court. The applicants have tendered Consent Terms. The applicants are ready to settle the matter with other investors and not with partners. The applicants are on interim relief for two years. They have cooperated in the investigation. Considering these facts, I pass following order.

ORDER

- i. The Order dated 03.01.2024 passed by this Court(Coram: Sarang V. Kotwal, J.) is hereby confirmed.
- ii. The applicants shall attend the concerned police station once in a month i.e. on first Monday of the month between 11.00 a.m. to 3.00 p.m. as and when required.

11. Both the Applications are allowed in the aforesaid terms and are accordingly disposed of.
12. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)