

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

BAIL APPLICATION NO. 421 OF 2025

Vineet Kumar Dhattarwal ...Applicant

Versus

1. The Union of India

2. The State of Maharashtra ...Respondents

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Dr. Sujay Kantawala a/w Mr. Aditya Talpade and Mr. Pratik Karande, Advocate for the Applicant.

Mr. Kuldeep S. Patil a/w Ms. Saili N. D. and Ms. Sampada S. Patil, Advocate for the Respondent No.1-CBI.

Mr. Swapnil Walve, A.P.P. for the Respondent No.2 – State.

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CORAM : N. R. BORKAR, J.

DATE : 11th MARCH, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. No.RC0262024A0043 registered by CBI, ACB, Mumbai, for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988.
3. It is the case of the prosecution that on 08.09.2024, a shipment of the complainant's company landed at JNPT Port from Jabel Ali Port, UAE, containing TOLUNE DI-ISOCYANATE

chemical. The said shipment was detained by the present applicant, who was working as Superintendent SIIB (Import). During examination, the samples of the chemical from the shipment were sent for testing and upon testing the Customs DYCC Lab had given no objection for release. It is alleged that the applicant intentionally kept the shipment pending for clearance and allegedly demanded Rs.5 Lakh as bribe from the complainant for releasing the shipment.

4. I have heard the learned counsel for the applicant and the learned Special P. P. for the Respondent No.1- CBI.

5. The learned counsel for the applicant submits that the SIIB (Import) department is headed by the Commissioner of Customs. It is submitted that, after the investigation and submission of reports, all the final decisions are taken by the Commissioner of Customs. It is submitted that the applicant is not the final authority to order release of the shipment and his role as a Superintendent was very limited, therefore, the question of demanding bribe for releasing the shipment does not arise. It is submitted that the complainant has made false allegations only in order to escape the liability of demurrage charges. The learned counsel for the applicant submitted that the applicant is in jail for about two months and further detention of the applicant is not necessary as the investigation is completed.

6. On the other hand, the learned Special P.P. for the Respondent No.1- CBI submits that the applicant is involved in a serious crime of demand and acceptance of bribe. It is submitted that the present applicant demanded Rs.5 Lakhs as bribe through co-accused Ramnath Bodke and after negotiation, accepted Rs.2.5 Lakh from the complainant. It is submitted that considering the nature of offence the applicant may not be released on bail.

7. The applicant is in jail for about two months. As the investigation is over, further detention of the applicant is not warranted. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. No.RC0262024A0043 registered by CBI, ACB, Mumbai i, for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988 on executing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) Application stands disposed of accordingly.

(N. R. BORKAR, J.)