

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

ANTICIPATORY BAIL APPLICATION NO. 1106 OF 2025

Salman Anis Dolare ...Applicant
Versus
The State of Maharashtra ...Respondent

**INTERIM APPLICATION NO.1664 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO. 1106 OF 2025**

Shabana Shakil Shaikh ...Applicant

IN THE MATTER BETWEEN :

Salman Anis Dolare ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Sudeep R. Pasbola, Senior Advocate a/w Mr. Mubin Solkar,
Mr. Umar Z. Kazi and Mr. Chinmay Godse, Advocate for the
Applicant in Anticipatory Bail Application No.1106/2025.

Ms. Anamika Malhotra a/w Mr. P. H. Gaikwad a/w Mrs. Veera
Shinde, A.P.P for the Respondent – State.

Mr. Arjun B. Jeswani, Advocate for the Complainant in Interim
Application No.1664 of 2025.

Mr. Ajit Shinde, (Sr.PI.) Crime Branch – 3, Kalyan, Thane City,
present.

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CORAM : N. R. BORKAR, J.
DATE : 29th APRIL, 2025

P.C.:

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 499 of 2024 registered at Bazarpeth Police Station, Kalyan District : Thane for the offences punishable under Sections 420, 409, 465, 467, 468, 471, 120(B) of the Indian Penal Code and Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (For short "MPID Act").
3. The applicant Salman Anis Dolare and co-accused Shagaf Shah Nawaz Karel and Mohd. Junaid Abdul Memon are the partners of M/s. Heaven Heights Group. The said partnership firm entered into a Development Agreement dated 21.11.2011 with the original landowners Najmunnisa Mulla & Farhan Mulla in respect of property bearing CTS No. 1440, 1451, 1442/1 to 9 situated at Kalyan. Thereafter, through Architect Fauzi & Associates, a building construction plan was prepared and the same was submitted to the Kalyan-Dombivli Municipal Corporation (KDMC) for sanction. The said plan was sanctioned on 25.09.2012 by the KDMC.

4. The informant is the flat purchaser. She was in search of a flat and she came in contact of co-accused Yusuf Iqbal Dhuru who was working with applicant and looking after his construction activities and other office works. The said co-accused Yusuf introduced her to the applicant in 2012 and informed her about the then ongoing construction project 'J.M. Tower'. The accused persons assured her that the building is authorized and is being constructed as per the terms and conditions of sanction plan. Based on their assurances, the informant agreed to purchase the flat No. 503 for total consideration of Rs. 36,45,000/-.Accordingly, Sale Deed with respect to the said flat was registered on 14.02.2013. As per the agreed terms, the informant paid the entire consideration amount i.e. 36,45,000/- to the applicant vide cheques and cash.

5. Subsequently, the informant found out that the building J.M. Tower was unauthorizedly constructed and as such she obtained additional information through an RTI Application. The informant came to know that the flat sold to her by the applicant is unauthorised and illegal as it is

constructed on the refuge area.

6. During the course of investigation, it was revealed that as per the sanction plan, 26 residential flats and 3 commercial premises were sanctioned. Instead, the applicant illegally constructed and sold 46 residential flats and 5 commercial premises. The applicant showed forged sanction plans to the purchasers in order to sell the flats and cheated them to the tune of Rs.5,66,35,740/-.

7. The learned Senior Counsel for the applicant submits that the applicant is ready to compensate the flat purchasers. It is submitted that revised plans are already submitted. However, considering the nature of crime and as the applicant is involved in six more crimes of similar nature, I am not inclined to release the applicant on anticipatory bail.

8. The Anticipatory Bail Application is rejected.

9. In view of disposal of Anticipatory Application, Interim Application for intervention stands disposed of.

(N. R. BORKAR, J.)