



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3014 OF 2023**

Abdul Hamid Shaikh Ali Shaikh	...	Applicant
versus		
The State of Maharashtra	...	Respondent

Mr. Vaibhav Bagade with Mr. Aman i/by Shriniwas C. Singh, for Applicant.
Mr. M.G.Patil, APP for State.
Mr. Burzin Bharucha with Mr. Sanjay Rego, for Intervener.
Mr Somnath Kale, API, Nagpada Police Station present.

CORAM: N.J.JAMADAR, J.

DATE : 30 OCTOBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.108 of 2023 registered with Nagpada Police Station for the offences punishable under Sections 465, 467, 468, 420 read with Section 34 of the Indian Penal Code.
3. The first informant alleges that the applicant was his neighbour, had induced her to put signatures on the various account opening forms and investment documents. After the investments matured, the maturity proceeds were, however, diverted to the account of the applicant and his family members. In the FIR, the first informant alleges that the offences took place during the period 1984 till the date of the lodging of the FIR. A sum of Rs.53,94,224/- has allegedly been diverted.
4. The period during which the offences have allegedly been committed is

of more than 35 years old. Investigating Officer would be required to go through the documents, especially the account extracts, to find out the money trail and also whether there is a forgery of the documents.

5. The learned Counsel for the first informant submitted that the applicant had been absconding.

6. In the backdrop of the nature of the accusation and especially the time lag, it may be expedient to grant interim protection while directing the applicant to join in the investigation. If the investigation reveals the complicity of the applicant, the same can be considered at the stage of final adjudication of the application for pre-arrest bail.

7. Hence, the following order :

ORDER

(i) The Applicant shall impleaded the first informant as party Respondent to this application.

(ii) Necessary amendment be carried out forthwith.

(iii) Issue notice to the Respondents, returnable on 18 December 2023.

(iv) Learned APP waives notice on behalf of Respondent No.1 and Mr. Bharucha waives service on behalf of the first informant.

(v) In the event of the arrest of the Applicant – Abdul Hamid

Shaikh Ali Shaikh in connection with C.R.No.108 of 2023 registered with Nagpada Police Station, the Applicant be released on bail on furnishing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(vi) The Applicant shall co-operate with the investigation and report to Nagpada Police Station on 6th to 9th November 2023 in between 10.00 a.m. to 1.00 p.m., and, thereafter, as and when directed.

(vii) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses and the persons acquainted with the facts of the case.

(viii) The applicant shall furnish his specimen signature and handwriting and also produce documents which are in his custody, as may be directed by the Investigating Officer.

(ix) Stand over to 18 December 2023.

(N.J.JAMADAR, J.)