



**IN THE COURT OF SESSIONS AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI**

**ANTICIPATORY BAIL APPLICATION NO.1903 OF 2022
(C. R. No.1227/2022 of Malad Police Station)**

Mr. Tej Pratap Singh,]
An Adult, Indian Inhabitant,]
Aged about 39 years, Occ : Business,]
Residing at Flat No.605, 6th Floor,]
Spring Greens, Village Anaura,]
Anora Kala, Lucknow, U.P. 227 105.] ...Applicant

Versus

State of Maharashtra,]
(Through Malad Police Station)] ...Respondent

Ld. Adv. T.R. Patel for applicant.
Ld. APP Usha Jadhav for State.
Ld. Adv. Rahul Talreja for Intervenor.

**CORAM : SHRI M.I. LOKWANI,
Additional Sessions Judge,
Court Room No.10.**

Date : 3rd December, 2022

ORAL ORDER

1. This application filed by applicant Tej Pratap Singh, under Section 438 of the Code of Criminal Procedure 1973, for granting anticipatory bail in connection with Crime No.1227/2022 registered

with Malad Police Station for the offence punishable under Sections 380, 509 and 323 of IPC r/w. Section 75 of Juvenile Justice Act 2015.

The brief facts of the prosecution case are as under :

2 It is alleged by the Complainant Khushbu Anilkumar Singh that she married with Ranjitkumar Singh in 2014. After the marriage, frequently quarrel took place between them, therefore, they separated from each other. The complainant having one male child from the said wedlock. She came to Mumbai from Gujrat and involved in the business of Marine Suppliers. The applicant's wife Priya is the old friend of complainant. The complainant called applicant's wife Priya and applicant at Mumbai. Thereafter, they were residing together. On 01.01.2022 complainant and applicant were residing together at Malad, Mumbai on the basis of leave and license. The complainant affixed C.C.TV Camera in the hall and kitchen. It is submitted that complainant gave job to applicant and his wife. However, some dispute arose between them in respect of their business and therefore, complainant asked the applicant to leave the house but applicant and his wife refused. After that on 28.07.2022, the complainant gone to reside at difference place, but she left or forgotten gold jewellery in the old house. On 07.08.2022, when she came back in the old house and asked the applicant about the jewellery, at that time, applicant abused her in filthy language and refused to return her jewellery and told her to go. Hence, applicant robbed her jewellery i.e. one gold chain and one gold bracelet, having total worth of Rs.1,55,000/-. The complainant further alleged that from the CC TV Footage she came to know that her son residing home along with applicant, at that time applicant was beating her son and therefore, complainant's son scared and used to fell sick

frequently. On the basis of CCTV Footage, she came to know that applicant used to beat her son. After that she realized that applicant robbed her jewelley. Hence, she approached to Malad Police Station and lodged the report against the applicant, by which crime No. 1227/2022 registered against the applicant at Malad Police Station.

3. Ld. Advocate for applicant submitted that applicant is innocent and falsely implicated in this crime. The applicant's wife is proprietor of Squadship Group of companies and also director of Squadship Consulting Pvt. Ltd., in which applicant's wife and one Vikash Jaiswal are the directors and the same relates with the consultancy of Manpower. There were good and cordial relationship between the applicant's family and complainant but lateron the complainant started siphoning funds of the applicant and his wife and whenever applicant asked for the funds, she used to transfer some amount from her personal account but does not disclose any details. It is submitted that dispute arose between them and their relationship became strained therefore, on the basis of false allegations, report lodged against the applicant. The allegations made against the applicant are false. He is ready to abide any condition imposed upon him. Lastly prayed for allow the application.

4. Ld. APP raised strong objection in view of reply at Ex.2. It is submitted that it is alleged that the applicant has stolen gold jewellery of the complainant worth Rs.1,55,000/-. The same is yet to be recovered. The applicant used to beat complainant's son brutally. The same is covered under CCTV Footage. If the applicant is released on bail, he will abscond as he is not residing at Mumbai, his native place is at Lucknow, Uttar Pradesh. There is also possibility to pressurise the

complainant and witnesses. Hence, prayed for rejection of the application.

5. The intervenor filed his reply at Ex.4 along with documents at Ex.5 i.e. photographs and lastly opposed the Anticipatory Bail Application.

6. Considering the submission of both sides and gone through the record, it appears that complainant and applicant's family were residing together. It appears from the photographs and whats app chat, produced along with Ex.4 that applicant is involved crime No.1227/2022, registered at Malad Police Station for the offences punishable under Sections 380, 509 and 323 of IPC r/w. Section 75 of Juvenile Justice Act 2000. It appears that applicant's family and complainant were residing together, but after dispute, complainant herself went to reside at different place on 28.07.2022 but she forgotten her gold jewellery at her old house. After that she asked about gold jewellery. Applicant refused and abused her in filthy language. Therefore, there is allegations that applicant has robbed her dewellery worth of Rs.1,55,000/-. It may be noted that investigation is at initial stage and is in progress. The alleged gold jewellery yet to be recovered from the applicant and in that regard, custodial interrogation is warranted. The photographs based on CCTV Footage placed on record along with Ex.5. It appears that for the purpose of recovery of gold jewellery, custodial interrogation of the applicant is imperative to facilitate the investigation. Moreover, anticipatory bail cannot claim as of right. If applicant is released on bail, there is possibility of abscond and there is also possibility to pressurise the complainant and witnesses. Such possibility cannot be ruled out. In view of aforesaid reasons, this

Court is not inclined to grant anticipatory bail to the applicant. Hence, I proceed to pass following order.

ORDER

Anticipatory Bail Application No.1903 of 2022 filed by the applicant Tej Pratap Singh in connection with Crime No.1227/2022, registered at Malad Police Station for the offence punishable under Sections 380, 509 and 323 of IPC r/w. Section 75 of Juvenile Justice Act 2000 is hereby rejected and disposed of accordingly.

Dictated and pronounced in open Court.

Dt. 03/12/2022

(M. I. LOKWANI)

Additional Sessions Judge,
Borivali Div., Dindoshi, Mumbai

Dictated on : : 03/12/2022
Transcribed by steno on : : 03/12/2022
Checked & Signed by HHJ on : : 05/12/2022

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.” UPLOAD DATE AND TIME 05.12.2022 AT 04.50 p.m. NAME OF STENOGRAPHER PRASAD S. TARE	
Name of Judge (with Court room no.)	HHJ Shri M.I. Lokwani, City Civil & Sessions Court, Borivali Div., Dindoshi. (C.R.No.10)
Date of Pronouncement of JUDGEMENT/ORDER	03/12/2022
JUDGEMENT/ORDER signed by P.O. on	05/12/2022
JUDGEMENT/ORDER uploaded on	05/12/2022