

**IN THE COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**CRIMINAL APPLICATION (BA) NO. 735/2015**

(Sayyed Arshad Khwaja s/o Sayyed Athar Khwaja vs. . The State of Maharashtra)  
 WITH  
CRIMINAL APPLICATION (APPP) NO. 1206/2015

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Office Notes, Office Memoranda of  
 Coram, appearances, Court's orders  
 of directions and Registrar's orders

Court's or Judge's order

Shri Avinash Gupta Sr.Adv.with Shri Akash Gupta, Adv. For applicant  
 Shri S.S.Doiphode, APP for respondent -State  
 (Shri J. M.Gandhi, Adv.for intervenor/complainant)

**CORAM: A.B.CHAUDHARI, J.**  
**DATED : 30<sup>th</sup> November, 2015.**

Heard.

The applicant was arrested on 3.7.2015 in respect of Crime No. 233/2015 for offence punishable under Sections 420, 467, 468, 471 read with section 34 of the Indian Penal Code, registered at Ranapratapnagar Police Station, Nagpur. It is reported that, by this time, the charge-sheet must have been filed. In view of the completion of investigation and filing of the charger-sheet, further detention of the applicant, who is in jail since 2015, would be wholly unnecessary.

Mr.J.M. Gandhi, learned counsel for the complainant/intervenor submits that the applicant has, in a similar manner, cheated several other persons and, therefore, he has opposing the instant Application, tooth and nail.

In my opinion, in the present crime, the applicant can be released on bail, particularly in the light of the fact that his further detention is wholly unnecessary, with an understanding from him not to indulge in such activities in future, which shall be the condition precedent in this order, the breach of which would result in cancellation of instant bail. In that view of the matter, I make the following order:

ORDER

- I) Criminal Application (BA) No. 735/2015 is allowed.
- ii) The applicant- Sayyed Arshad Khwaja be released on bail in respect of Crime No.233/2015, upon his furnishing personal bond in the sum of Rs. one lakh ( Rs.1,00,000/-) with two sureties in the like amount.
- (iii) The applicant shall furnish an undertaking in this Court as stated above, during the period of four weeks from today.
- (iv) The applicant shall not tamper with the prosecution evidence.
- v) Application for grant of permission to assist the prosecution being Criminal App. No.1206/2015 is allowed.

JUDGE

*sahare*