

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 468 OF 2015

Shridhar s/o. Vitthal Waghmare

....Applicant.

Versus

The State of Maharashtra

....Respondents.

Mr. Y.K. Bobade, Advocate for applicant.

Mrs. M.A. Deshpande, APP for State.

CORAM : T.V. NALAWADE, J.

DATED : 10th February, 2015.

ORDER :

1. The application is filed for relief of anticipatory bail.

Both the sides are heard. This court has perused the papers of investigation.

2. Crime is registered on the basis of report given by one Shivraj Bangar. He is working as a teacher. Present applicant Shridhar was known to the complainant. The complainant was attempting to seek employment to his wife and sister and he used to tell about that to the present applicant.

3. Allegations are made that on 10.6.2014 after 10.30 a.m. when complainant was at home, present applicant visited

the house with four persons in a car. Applicant introduced those persons and said that they were managing Dhruva Infopath Company and they were having I.C.T. Training Project of the Government. Allegations are made that it was represented to him that under that project 1400 teachers are required to be appointed and the said company had power in that regard. Allegations are made that when the complainant showed the certificates of his wife and sister, it was told to him that it was necessary to pay amount of Rs. 30,000/- for getting appointment to the post of teacher and it was necessary to pay Rs. 70,000/- for getting appointment to the post of Supervisor. When the complainant showed his readiness to pay the amount, the amount of Rs. 300/- was taken from him for forms.

4. Allegations are made that on 12.6.2014 present applicant and one Satish Aawhale came to him and to them, he handed over the amount of Rs. one lakh for getting the aforesaid appointment. He has contended that present applicant represented him by saying that there was no receipt book at that time with him, but he will send the receipts. Accordingly, he sent two receipts of Rs. 30,000/- and Rs. 70,000/- issued by Dhruva Infopath Swastik Inclave, Ahmednagar. It was represented to the complainant by present applicant that for others training will be

given of three months, but there was no necessity to give training to wife and sister of the complainant.

5. The complainant waited for appointment orders till October 2014. He did not receive appointment orders and he learnt that the so called training started by the said company was already closed. He then made inquiry with the present applicant and also others. He realized that there was no such project of the Central Government and no work was given to the aforesaid company by the Central Government. After realizing the fraud played by the present applicant, when he contacted him, applicant and others said to him that they had collected the amount in crores of rupees and they could hire anybody to finish him, if he makes grievance of the things to anybody. Complainant then approached to police and gave report.

6. It is not disputed that present applicant had no authority to give appointments to anybody either as a teacher or as a supervisor. The learned counsel for the applicant submitted that applicant himself is deceived by the persons of the said company and so, protection needs to be given to him. In view of the nature of allegations made against the applicant by the complainant, this submission cannot be accepted at this stage.

Such instances are increasing. The learned APP submitted that present applicant was working virtually as agent and he was collecting the interested persons and so, custodial interrogation of this person is necessary. There is possibility that more information will come out from the applicant and more instances can be traced of similar nature after custodial interrogation. This Court holds that it is not a fit case to grant the relief.

7. In the result, the application is rejected.

8. The learned counsel for applicant prayed for granting interim relief for some time. This Court has not given any relief to the applicant from the beginning and there is no question of giving such relief. The prayer is rejected.

[T.V. NALAWADE, J.]

SSC/