

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE SIDE JURISDICTION  
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 196 OF 2015

Manish Sushilkumar Razdan

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Prakash Mahadik a/w Mr. Neeraj Sharma Advocate for Applicant  
Ms. Vira Shinde APP for the State.

**CORAM : SMT. SADHANA S. JADHAV, J.**

**DATED : FEBRUARY 23, 2015**

**PC :**

1) Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicant herein is apprehending his arrest in crime no. 161 of 2014 registered at Chattursinghi Police Station on 19/05/2014 for offence punishable under section 406, 420 r/w 34 of Indian Penal Code.

2) It is the case of prosecution that on 19/05/2014, one Abhishek Subodhkumar Ranjan who is working with Croma at Aundh, lodged a report at the police station alleging therein that on 29/03/2014, Pooja Jadhav who is also an employee of Croma Company at Aundh had received an image of cheque of Rs. 3,29,789/-. An order for 9 cellphones of Samsung Company and Apple Company was placed against the said cheque. Officers of Croma

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Company had specifically informed the caller that no goods would be delivered on the basis of the cheque. Caller of the said phone had inquired as to whether online money transaction could be made. On that, said person who had posed as Manish Kumar i.e. present applicant had sent account details on his mail id i.e. [mk.leogroup@gmail.com](mailto:mk.leogroup@gmail.com). He had sent screen-shot of Rs. 2,48,348/-. He had given an address on which the handsets could be delivered. Cellphone handsets were delivered on the given address. On 31/03/2014, banks were closed on account of 'Gudi Padwa'. Therefore, Croma company could not get the update of accounts. On 03/04/2014, Croma Company received a message that on-line transaction has been cancelled as there was no money in the account of Manish Kumar. Company then informed present applicant about the same. On 04/04/2014, applicant had sent screen-shot of Rs. 7,00,000/- and had again placed an order for 5 handsets. Company had sent messages on the e-mail id given by the applicant. He had again sent screen shot, showing that there is a balance of Rs, 75,26,350/- in his account. He was specifically informed by the company that he would not get delivery, unless the whole amount is placed. Thereafter, he had issued a cheque of Rs. 5,42,000/-. Said cheque was dishonored. On the basis of the

said statement, crime no. 161 of 2014 was registered.

3) In the course of investigation, it was revealed that applicant had posed himself as a free lancer travel agent and had cheated several people. Several offences registered against him. In July 2011, he was also arrested in another case of cheating where he has posed as Ranveer Chaudhary and had taken amount of Rs. 69,800/- for taking tickets of various airlines. In fact, only in the course of investigation, they had realized that said person who had posed as Ranveer Chaudhary was in fact Manish Rajdhan. Papers of investigation further reveal that he has duped several people from Bangaluru, Mumbai, Chandigarh & Pune.

4) Learned counsel for the applicant also admits that applicant is working as free lancer travel agent. Learned counsel submits that in fact, it is only commercial transaction and in such cases, custodial interrogation is not necessary. This Court has perused the statements of several witnesses who have been cheated by applicant on various occasions. Learned counsel for the applicant submits that said persons had not lodged any complaint and

therefore, it cannot be taken into consideration.

5) Be that as it may, it is apparent from the papers of investigation that applicant has criminal antecedents and has cheated people by posing as a travel agent. In the present case also, applicant had sent screen-shot of payment which were basically false. The papers of investigation also reveal that the E-mail id was created only for cheating. In view of this, it is apparent that offence of cheating is clearly made out. In view of this, applicant does not deserve grant of relief in the nature of pre-arrest bail. It is a fit case, where custodial interrogation is imperative.

### **ORDER**

- (i) Application is rejected.
- (ii) Learned counsel for the applicant has made an oral prayer for staying this order. However, in the facts and circumstances of the present case, oral prayer is rejected.
- (iii) Application stands disposed of.

**(SMT. SADHANA S. JADHAV, J.)**