

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1834 OF 2015

Mrs. Janhavi Prashant Bhosale & Anr. ...Applicants

Versus

The State of Maharashtra ...Respondent

.....

Mr. Halli i/b. Mr. Subhash Hulyalkar for the Applicants.

Ms G.P. Mulekar, APP for the Respondent- State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 4th DECEMBER, 2015.

P. C. :

This is an application for anticipatory bail filed by the Applicants herein in apprehension of their arrest in C.R. No.269 of 2015 registered with Ranwadi Police Station, Pune, for the offences punishable under sections 406 and 420 r/w. section 34 of the IPC.

2. Mr. Halli, the learned counsel for the Applicants has submitted that the incident is of the year 2012. He has stated that the Applicants have no criminal antecedents and the Applicants are cooperating with the investigating agency and that the nature of the allegations levelled against them do not justify their custodial interrogation.

3. The learned APP submitted that the Applicants have cheated and duped several persons to the tune of Rs.58,05,000/- by giving false assurance of securing government job. She has submitted that several aggrieved persons are coming forward with similar allegations. She has submitted that the release of the Applicants on anticipatory bail will thwart the investigation.

4. I have perused the records and considered the submissions advanced by the learned counsel for the Applicants and the learned APP for the Respondent-State. The records prima reveal that one Machhindra Manik Whatkar had lodged a complaint dated 13th October, 2015 alleging that in the year 2012 he was told that the Applicants herein were providing government jobs to several persons. He approached the Applicants. The Applicant No.1 introduced herself as sister of one of the ministers and represented to him that she is a member of staff selection committee of the central government. The Applicant No.1 also gave him a visiting card, which indicated that she was general secretary of Maharashtra Yuvak Pradesh Congress. The Applicants assured to provide job to the complainant on payment of Rs.3,50,000/-. The complainant paid an amount of Rs.2,50,000/-

initially and Rs.1,50,000/- was to be paid after getting the appointment order.

5. The complainant has further stated that the Applicant No.1 had told him that some posts were vacant and that he could inform his friends about the vacancies. Accordingly, the complainant informed his two friends Rajan Gaikwad and Tushar Kurhade that the Applicants were in a position to procure government jobs. The Applicants had informed the said friends of the complainant that she could secure a job for the post of Clerk for Rs.3,50,000/- whereas for the post of Block Development Officer they would have to pay Rs.10,00,000/-. Said Rajan Gaikwad paid her total amount of Rs.2,50,000/- and said Tushar Kurhade paid to her the total amount of Rs.3,50,000/-. Subsequently another persons by name Jalinder Sontakke and Anil Shinde also paid to the Applicants Rs.2,50,000/- each for securing a job. The complainant thereafter made enquiries and realised that the Applicants were not related to the ministers and that there were no vacancies of such posts and that the Applicant No.1 was also not in a position to provide any job. Having realised that they were cheated, the complainant lodged the FIR, pursuant to which aforesaid crime came to be registered.

6. The records reveal that apart from the persons named in the complaint several other persons have been duped by the Applicants. The material on record reveals that the Applicants had cheated another person in a similar fashion in the month of May, 2015. The records therefore, prima facie reveal that the incident stated by the complainant in the FIR No.269 of 2015 is not an isolated incident but that the Applicants are involved in committing said offence since the year 2011. Several persons have been cheated to the tune of Rs.58,05,000/-. The learned APP has stated that several persons are coming forward with similar grievances against the Applicants. Under the circumstances, release of the Applicants on bail, at this stage, will thwart and hamper the investigation. The allegations levelled against the Applicants are serious. The offence needs to be investigated thoroughly and such investigation can be conducted only through the custodial interrogation.

7. Under the circumstances and in view of the discussion supra, application for anticipatory bail is hereby dismissed.

(ANUJA PRABHUDESSAI, J.)