

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

ANTICIPATORY BAIL APPLICATION NO.15 OF 2016

Rahul Gulabrao Khamkar

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Shailesh D. Chavan for the Applicant.

Ms R.M. Gadhvi, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 8th JANUARY, 2016.

P. C. :

This is an application for anticipatory bail filed by the aforesaid Applicant in apprehension of his arrest in Crime No.308 of 2015 registered at Chatusringi Police Station, District- Pune, for the offences punishable under sections 420, 406, 467 and 468 r/w. 34 of the IPC.

2. The case of the prosecution in brief is that the complainant Ajit Jadhav and his friend Prafulla More were in search of a job. They had approached the co-accused Balaji Saravde, manager of Aryan Enterprises. They were assured that they could secure job on payment of Rs.1,00,000/-. They were asked to pay registration fees and were

called for interview. Subsequently, the other co-accused Amit Kulkarni told the complainant and his friend that they would get the offer and asked them to arrange for Rs.60,000/-. The complainant and his friend had paid the amount and they were given offer letter. When they went to the company to join their duties they were informed that the offer letter was fabricated. The complainant and his friend tried to contact the co-accused but their whereabouts were not known. The complainant therefore, lodged the complaint before Chatushrungi police station. Pursuant to which aforestated crime came to be registered.

3. The learned counsel for the Applicant has submitted that name of the Applicant herein does not figure in the FIR. He has further submitted that the Applicant herein is not involved in committing the said crime and his presence is not required in the custody.

4. The learned APP submitted that the Applicant is the master mind in commission of the said crime. She has further stated that the offence is of a serious nature and needs to be investigated thoroughly.

5. I have perused the records and considered the submissions advanced by the learned counsel for the Applicant and the learned APP for the Respondent – State. The records prima facie reveal that the co-

accused Amit Kulkarni was involved in inducing the complainant and his friend to pay large amount of money by deceiving them that they would secure job in a company by name Inzigma. The material on record gathered in the course of investigation prima facie reveals that several other accused were involved in the commission of the crime. The Applicant herein was the master mind and that it was his suggestion that they should trace children who were in search of jobs and that they should induce them making the payment under the garb of providing jobs.

6. The material on record further shows that the Applicant and others had also opened a bank account on the basis of false and fabricated documents and that the ATM card is also in possession of the Applicant. There is prima facie material to show the involvement of the Applicant in commission of the said crime. The investigation is still at a preliminary stage. The offence needs to be investigated thoroughly and whether the Applicants were also involved in deceiving other such innocent children is required to be thoroughly looked into. Considering the above facts and circumstances, I am not inclined to exercise discretion in regard to grant of bail. Hence, the application is dismissed.

(ANUJA PRABHUDESSAI, J.)