

ANTICIPATORY BAIL APPLICATION NO. 836 OF 2016

V/s.

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CORAM : A. M. BADAR, J.
DATE : 28th JUNE, 2016

P.C. :

1 The Applicant/accused in Crime No. 313 of 2015
for the offences punishable under sections 420, 406 r/w. 34 of
the Indian Penal Code, registered with Chaturshrungi Police
Station, Pune at the instance of the informant- Mrs. Chhaya
Vasant Kalbhor, by this application is seeking pre-arrest bail.

2 Heard the learned counsel appearing for the Applicant/accused at a great length of time. By taking me through the entire text of the order of the learned Additional Sessions Judge, Pune, the learned counsel for the applicant argued that in fact through an agent the applicant had executed in all nine agreements for sale of his land. The lands covered under the agreements are owned by the applicant and

his family members. Time of 60 days was there to complete the sale deed and an amount of Rs. 25 lakhs was received as an earnest money. Learned counsel further argued that as the sale deed was not got executed by Mr. Permeshwaridin Pal, a legal notice was issued. It is further argued that Mr. Pal never visited his factory, as visitors entry books maintained at the factory does not bear his name. It is argued that as such there is no question of paying an amount of Rs. 2.75 crores to the applicant through said Pal. The said receipt is forged and the appropriate complaint is already filed in that regard.

3 Perusal of the FIR goes to show that by cheating the public at large, co-accused-Pal had collected amount of Rs. 82 lakhs from the informant and other persons. It is averred in the FIR that co-accused Pal is class-II officers, working with D.R.D.O.. He has had collected the amount of Rs. 4.50 lakhs and Rs. 4 lakhs per person respectively for providing job in technical and non-technical employment with central government from several persons. During the course of the investigation, the Investigating Officer came to know that co-accused -Pal had got executed nine agreements of purchase of land from the present applicant as well as his family members.

4 The deal of the applicant with co-accused-Pal was to purchase 60 acres lands and the amount of consideration of Rs.32 crores. During the course of investigation, the

investigator has seized the receipt executed on stamp paper of Rs. 50/-, which shows that the present applicant has accepted an amount of Rs.2.75 crores from co-accused Permashwaridin Pal. According to the prosecution case, proceeds of crime were channelized and then handed over to the present applicant on the pretext of transaction of lands. The amount involved in the crime is yet to be retained. According to the prosecution case, by putting public employment for sale, co-accused Pal has collected huge amount and the same is transferred to the present applicant under the pretext of purchasing land from him. Prima facie the role of the applicant/accused established from the papers of investigation. No case for anticipatory bail is made out.

5 The application is rejected accordingly.

(A. M. BADAR, J.)

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