

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1504 OF 2016

Mr. Sanjay Junagare @ Kaka	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. S.G.Pandey, Advocate for the applicant.

Mr. Prashant Jadhav, APP, for the State.

Mr. Madhusudan R. Ghuge, PSI, Pimpri Police Station, Pune City, present.

CORAM: SMT.SADHANA S.JADHAV,J.

DATE : 29th August, 2016.

P.C.

1. Heard. This is an application under Section 438 of Cr.P.C. The applicant herein is apprehending his arrest in Crime No.406 of 2016 registered at Pimpri Police Station for the offences punishable under Sections 420, 406, 419, 467, 468, 469, 471 read with Section 34 of the Indian Penal Code.

2. It is the case of the prosecution that Vijay Palate, who is working as a D.S.A. in G.I.C. Housing Finance Ltd. Chinchwad, lodged a report at Pimpri Police Station, at Pune on 1.3.2016. That the present applicant had called upon him. That the present applicant had met him. He

had given a file of one Suresh Dattu Thopte and Meena Yadav for soliciting home loan. The complainant had forwarded the said file to the Manager of the company. The proposal of Mrs. Meena Yadav was returned, though the loan was granted to Suresh Thopte. According to the complainant, after some days, Suresh Thopte and his wife had been to the office of the complainant and had filed the loan proposal for purchasing Flat No.603. The complainant had demanded refund of documents. It was revealed that on 22.4.2016, the loan of Rs.21 lakhs was sanctioned. Further formalities were completed. On 3.5.2016, the complainant had received a cheque of Rs.14,78,000/- drawn in favour of HDFC Bank. On 5.5.2016, the complainant had given the said cheque in favour of Sandip Hargude and had obtained his receipt. That he had requested Suresh Thopte to pay the interest for the month of May 2016 who refused to pay the interest. Sandip Hargude was the developer. The developer informed that he had not received the cheque from Suresh Thopte who received the home loan of Rs.20 lakhs from Aspire Home Finance. According to the complainant, it is a racket.

3. Perused the papers of investigation. It appears from the statement of the witnesses that the applicant herein had duped several

companies. He had engaged an agent i.e. Shivraj Choudhari who had introduced him to Suresh Thopte.

4. The learned APP submits that this is a huge financial scam. It is a racket. Further investigation is necessary which can be done only by custodial interrogation.

5. In view of this, this application does not deserve to be granted pre-arrest bail. Hence, the Application stands rejected.

6. In the eventuality that the applicant files an application seeking bail under Section 439 of Cr.P.C., the learned Sessions Court shall not be influenced by the observations made hereinabove.

(SMT.SADHANA S.JADHAV, J.)