

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2456 OF 2016

Sandeep Maruti Pawar	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Anant Vadgaonkar, Advocate for the applicant.

Mr. Prashant Jadhav, APP, for the State.

Mrl Sachin S. Suryawanshi, PSI, Nigadi Police Station present.

CORAM: SMT.SADHANA S.JADHAV, J.

DATE : 7th December, 2016.

P.C.

Heard. This is an application under Section 439 of Cr.P.C.

The applicant herein is arrested on 23.10.2016 in Crime No. 725 of 2016 registered at Nigadi Police Station. The investigation is in progress. The applicant is being prosecuted for the offences punishable under Sections 420, 406, 467, 468, 472 of the Indian Penal Code.

2. It is the case of the prosecution that on 22.10.2016, one Vidyasagar Gaikwad lodged a report at the police station alleging therein that on 11.10.2016, he was in search of a job. He reached Mayuri Trade Centre at Chinchwad. He came across an advertisement which was pasted on the said building. A cellphone number was also given in the said advertisement. He contacted on the said cellphone number. He spoke to

one Sandeep Pawar i.e. the present applicant. He disclosed to Mr. Sandeep Pawar that he was in urgent need of a job as he was unemployed for a long time. Sandeep Pawar called him to VIP Job Solution Mayur Trade Centre. He reached there. He saw Sandeep Pawar was being assisted by one Ashish Karmekar. He submitted his bio-data. He assured the complainant that he would give him job in Premier Ltd. at Chinchwad as a Junior Maintenance Clerk. he was also informed that he would have to give him the salary of the first month as a consideration. On 13.10.2016, Sandeep Pawar called upon the complainant. He gave an appointment letter and also informed him that he would have to undergo the medical test on 18.10.2016 and he was directed to join the service on 24.10.2016. He was asked to give Rs.20,000/- towards commission. The complainant did not have sufficient funds. On 15.10.2016, the complainant along with his maternal uncle went to the office and gave him Rs.9,000/- as part-payment of the commission. He was called on 18.10.2016. On that day, he did not meet the complainant. Thereafter, he did not receive phone calls of the complainant. The complainant had been to the office and realized that the office was closed. There he met several unemployed boys like Prashant, Sukhdev, Dhanaji and 10-12 other boys who had been cheated by the applicant in similar manner. All the boys joined together and decided to initiate

prosecution and hence the prosecution has been initiated against the present applicant. He had given joining letters to all the boys. He had collectively taken Rs.4,01,000/- from all the boys.

3. The learned counsel for the applicant submits that the applicant has been falsely implicated and he has not committed any such offence and, therefore, he deserves to be enlarged on bail.

4. As against this, the learned APP submits that during the search in the course of investigation, forged letters are recovered from the applicant of companies such as Premier Ltd. Co. PMT machines Ltd. etc. The applicant had fabricated material to issue fake joining letters to vulnerable unemployed boys. It is revealed that there are several boys who have been cheated by the present applicant. It is in these circumstances that the applicant does not deserve to be enlarged on bail as there is a possibility that the charge-sheet would be filed against the applicant not only under Section 420 of IPC, but under Sections 467, 468, 471 of IPC. The papers of investigation clearly indicate that the applicant has committed the offences alleged against him. Young unemployed boys are cheated by the applicant by fabricating letter-heads of unconcerned

companies. The possibility that companies would also initiate prosecution cannot be ruled out.

5. Hence, the application being sans merits, stands rejected.

(SMT. SADHANA S.JADHAV, J.)