

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (ABA) NO.164/2016

Raman s/o Madhukar Sawaithul

..Versus..

State of Maharashtra, through, P.S.O. Ganeshpeth P.S., Nagpur (investigation with
Crime Branch)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 6.5.2016

Heard Shri R.M. Patwardhan, advocate for the applicant and
Shri N.B. Jawade, A.P.P. for the non-applicant.

The applicant apprehends arrest in crime registered against him for the offences punishable under Sections 403, 406, 420, 465, 468, 471 and 120-B of the Indian Penal Code on the accusations that he along with some other persons (co-accused) has duped banks by obtaining car loans without purchasing car and submitting fake and fabricated documents to show that car is purchased.

According to the applicant, he is himself cheated by Tushar Ramesh Patne (applicant in Criminal Application [BA] No.297/2016). The applicant contends that he intended to take car loan and came in contact with Tushar Patne at the Cosmic Grace Auto Showroom and Tushar Patne assured him of securing loan from nationalized bank and accordingly the applicant has done the transaction through Tushar Patne. It is submitted that the applicant regularly paid six instalments of loan as the applicant was assured by Tushar Patne that car would be delivered to the applicant, however, subsequently the applicant sensed foul play. The

applicant has submitted that the entire amount of loan is repaid by him to the Syndicate Bank. Though the application is opposed, the non-applicant has not been able to show that the custody of applicant is required for further investigation. Hence, in my view, the applicant is entitled for pre-arrest bail.

Hence, the following order:

- (i) In the event of arrest in Crime No.42/2016 registered by the non-applicant, the applicant be released on bail on furnishing P.R. bond for Rs.25,000/- (Rs. Twenty Five Thousand Only) and one solvent surety in the like amount.
- (ii) The applicant shall attend the Investigating Officer, Economic Offences Wing Crime Branch, Nagpur on every Tuesday and Thursday between 11 a.m. to 4 p.m.
- (ii) The application is **allowed** in the above terms.

CRIMINAL APPLICATION (APPP) NO.365/2016.

In view of disposal of main application, this application does not survive and is **disposed** accordingly.

JUDGE