

CRIMINAL APPLICATION NO. 2484 OF 2017

VERSUS

The State of Maharashtra ... Respondent

.....
Mr. D.P.Palodkar, advocate for the applicant
Mr. A.A.Jagatkar, A.P.P for respondent

CORAM : K.L.WADANE, J.
DATED : 13th JUNE, 2017

O R D E R :

Heard Mr. D.P.Palodkar, learned counsel
for the applicant and Mr. A.A.Jagatkar, learned
A.P.P. for respondent.

2. The applicant apprehends his arrest in connection with Crime No. 7 of 2017 registered at Chakur police station, District Latur for offences punishable under Sections 420, 467, 468, 471, 306 r/w 34 of the Indian Penal Code.

3. It is the case of the complainant that somewhere in the year 2014 accused Sanjay and Kamalakar assured him and his father to give appointment to the complainant with Zilla

Parishad, Nasik. On this count, the father of the complainant paid an amount of Rs.18,00,000/- to the accused Nos. 1 to 4. When these persons failed to secure appointment, they have returned part of money by issuing cheques. Subsequently those cheques were dishonoured.

4. It is further alleged that the complainant worked for a period of one year in the institution of the present applicant, but recognition of the said institution was cancelled. The services of all the employees were terminated on account of withdrawal of recognition. Due to the action of the accused Nos. 1 to 4, the father of the complainant committed suicide on 28.12.2016. So, according to the prosecution all the accused persons are responsible for the suicide of father of the complainant.

5. Mr.Palodkar, learned counsel appearing for the applicant states that there are no allegations against the present applicant. He has not accepted any amount from the complainant or his father. Further more, the services of the

complainant were terminated on account of de-recognition of the institution.

6. The learned A.P.P. opposed the bail application stating that the applicant do not deserve grant of bail.

7. Perused the papers of the investigation. There are no allegations against the applicant that either he demanded certain amount from the complainant for issuing appointment letter or has accepted any amount for that purpose. All the allegations are against other accused persons who actually accepted the amount of Rs.18,00,000/-, however, they failed to return the said amount to the complainant or his father. Due to such situation the father of the complainant committed suicide.

8. Considering the entire allegations, I do not think that the present applicant had any active role leading to the commission of suicide by the father of the complainant. In view of nature of allegations nothing is to be recovered from the possession of the present applicant. In

such situation, the investigation can be carried out by the Investigating Officer without custody of the present applicant.

9. Hence following order.

(i) Criminal Application is allowed.

(ii) Applicant be released on bail in the event of his arrest in connection with Crime No. 7 of 2017 registered at Chakur police station, District Latur for offences punishable under Sections 420, 467, 468, 471, 306 r/w 34 of the Indian Penal Code on furnishing P.R. bond of Rs. 25,000/- with one surety in the like amount.

(iii) Applicant shall cooperate in further investigation and shall remain present in the police station for the purpose of investigation as and when required.

10. Criminal Application is disposed of.

(K.L.WADANE, J.)