

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1300 of 2017

Shri. Hemant Ramdev Suri

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Sudeep Pasbola i/b. Mr. Sandeep Singh for the applicant.

Ms. A. A. Takalkar, APP for the respondent-State.

Mr. R. B. Mane, Police Inspector, Sion Police Station present.

CORAM : PRAKASH D. NAIK, J.

DATE : 20 JUNE 2017

P.C. :

1. This is an application for bail in C.R. No.203 of 2016 registered with Sion Police Station, Mumbai for the offences punishable under section 420 read with 34 of IPC and section 66(c)(d) of Information Act.

2. The FIR was lodged by one Sudhanshu Patnaik in which it was alleged that the informant had sent request at Noukri.com on 26 March, 2016 and he was asked to search on website NowNoukri.com and thereafter the informant registered his name on the said website by paying an amount of Rs.3,32,677/-. However the informant did not get the job and therefore he felt cheated and lodge the complaint.

3. Learned advocate for the applicant submitted that the

applicant was arrested on 28 April, 2017 and since then he is in custody. It is submitted that the complainant had referred to an amount of Rs.3,32,677/- was being paid by him to the applicant firm. The said amount was handed over to the police at instance of the applicant. It is submitted that the amount was directed to be given to the complainant by the concerned Court on the application preferred by the complainant. Learned advocate submitted that the applicant was partner of the said firm. There was dispute between the applicant's firm and naukari.com with regard to the Patent. It is further submitted that the amount of other persons who had claimed to have paid to the applicant firm has been refunded. List of such persons has been annexed to the application. Learned advocate therefore submitted that further custody of the applicant is not required and he may be released on bail.

4. Learned APP submitted that there are statements of two persons which were recorded on 2 May, 2017 and 3 May, 2017 who had also claimed to have paid the amount to the applicant firm. Learned advocate for the applicant on instructions submitted that any genuine claim will be cleared. Learned APP submitted that investigation is in progress.

5. I have considered the submissions of both sides. The applicant is in custody from 28 April, 2017. It is an admitted position that an amount as alleged by the complainant has been paid to him. It is also pointed out that other persons' amount has been refunded.

6. In these circumstances, further custody of the applicant is not necessary. Admittedly, the applicant is in judicial custody. No

purpose will be served by detaining him in custody. Hence, I am inclined to allow this application.

:: ORDER ::

- (i) The applicant is directed to be released on bail in connection with C.R. No.203 of 2016 registered with Sion Police Station, Mumbai on furnishing P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only.) with one or more sureties in like amount.
- (ii) The applicant is directed to report the Sion Police Station once in a month on the first day of month till filing of the chargesheet.
- (iii) The applicant is permitted to furnish cash security for a period of four weeks in lieu of sureties.
- (iv) Application is disposed of.

[PRAKASH D. NAIK, J.]