

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 1973 OF 2017

Krishna Chandrasen Devkate .Applicant

Vs.

The State of Maharashtra .Respondent

Ms Manjiri Parasnis, Advocate, for the Applicant
Mr. S. S. Hulke, APP, for the Respondent – State

CORAM : A.S.GADKARI, J.

DATE : 28.11.2017

P.C.

. This is an Application under Section 438 of Cr. P.C. for pre-arrest bail in CR No. 807 of 2017 registered with Hadapsar Police Station, Pune under Sections 419 & 420 of the Indian Penal Code.

2. Heard the learned counsel for the Applicant, learned APP and perused the record.

3. The first information report is lodged by Smt. Swati G. Ingale alleging that, the Applicant on a matrimonial site published on electronic media, namely Jeevansathi.com introduced himself as Prajval Deshmukh and proposed her for marriage. That thereafter, from time to time Applicant extracted a total sum of Rs. 5,50,000/- from her under various pretexts. The first informant subsequently realized that the

Applicant by giving false identity as Prajval Deshmukh has committed the act of cheating against her. The first informant also came to know from police that the Applicant is an accused in C.R.No. 195 of 2017 registered with Nalasopara Police Station and during the course of enquiry of the said crime, the Applicant was requested to attend the police station to identify the person namely Prajval Deshmukh. That the first informant identified the Applicant as the same person who introduced himself as Prajval Deshmukh and has induced her to part with the said money. In the premise, the first information report is lodged.

4. The learned counsel for the Applicant submitted that the Applicant is not Prajval Deshmukh and there is a mistaken identity of the Applicant. She further submitted that, the Applicant was already arrested in some other crime and necessary recovery is effected at his instance. She submitted that nothing is to be recovered in the present crime at his instance and therefore, the Applicant may be granted pre-arrest bail.

5. The record clearly indicates that the Applicant by adopting fake identity and by giving his name as Prajval Deshmukh had posted his profile on the said matrimonial site namely Jeevansathi.com and has duped various ladies by giving assurance of performing marriage. That

the Applicant has also induced the informant to part with the aforesaid huge amount on false representation. The Applicant is also an accused in other two crimes. As far as present crime is concerned, the amount defalcated by the Applicant is yet to be recovered. That the documents prepared by the Applicant pretending himself or adopting the identity as Prajval Deshmukh are yet to be seized. The method used by the Applicant for cheating various ladies and the modus operandi adopted by him is to be thoroughly investigated.

6. In view of the above and after taking into consideration the serious allegations against the Applicant and the gravity of the offence, this Court is of the considered view that the Applicant does not deserve to be protected by way of pre-arrest bail.

7. Application is accordingly rejected.

(A.S.GADKARI, J.)