

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

CRIMINAL APPLICATION (BA) NO. 552 OF 2017

(SHRI. RUPESH S/O SHYAMSUNDER AKKEWAR...VS...STATE OF MAH. THR. P.S.O. PS AHERI, TAH-
AHERI, DIST.GADCHIROLI)

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

Court's or Judge's orders

Shri N. R. Bhishikar, Advocate for Applicant.
Shri S. P. Deshpande, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.
DATED : 17th JULY, 2017.

Heard.

The applicant is arrested on 16th January, 2017 in connection with Crime No.4 of 2017 registered for the offence punishable under Sections 420, 406 read with Section 34 of the Indian Penal Code. The accusations against the applicant are that, assuring to secure employment, the applicant has duped innocent youngsters and has taken huge sum of money from them.

According to the Investigating Agency, the applicant has admitted his liability in writing on stamp paper and has issued cheques to those persons from whom he had taken the amount. It is alleged that the cheques issued by the applicant to repay the amount to those innocent youngsters are dishonoured.

The application is opposed on the ground that the applicant is habitual offender and there are complaints by about four persons that the applicant has duped them.

The learned advocate for the applicant has submitted that even if the accusations made by the Investigating Agency are accepted, it has not been able to point out that custody of the applicant is further required for investigation. It is submitted that the stamp papers and cheques are already seized and specimen signature of the applicant is also obtained by the Investigating Agency.

Considering the facts of the case, nature of accusations against the applicant and the submission that the applicant is a habitual offender indulging in similar crime, the prayer made in the application is rejected.

The application is dismissed.

During the course of arguments, a query was put to learned A. P. P. as to why separate crime is not registered on filing of different complaints by different persons. The learned A. P. P. could not answer the query, however, it is submitted that that the Investigating Agency will examine the matter according to law.

JUDGE

PBP