

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

CRI. APPLICATION (ABA) NO. 518 OF 2017

(PRAFULLA SHANTARAM HELAWADE....VS.. STATE OF MAH.THR.P.S.O., BHADRAWATI, DIST.
CHANDRAPUR)

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

Court's or Judge's orders

Shri Nitin Bhishikar, Advocate for Applicant.
Shri T.A.Mirza, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JULY 27, 2017.

Heard.

Apprehending arrest in connection with Crime No.658 of 2017 registered by the non-applicant against three accused (including the applicant) for the offence punishable under Sections 465, 467, 468, 471, 420 read with Section 34 of the Indian Penal Code, the applicant has sought pre-arrest bail.

According to the Investigating Agency the accused have cheated the complainant, duping him of Rs.14,00,000/- on the pretext of securing job for his son and after taking Rs.14,00,000/- a forged appointment order was handed over.

The learned advocate for the applicant has submitted that even according to the accusations of the Investigating Agency involvement of the applicant in the matter is not shown. It is submitted that as the complainant is distantly related to the applicant and the applicant knew the other accused and carried an impression that they may help the complainant in securing the appointment for his son he had only introduced other accused to the complainant.

It is submitted that the applicant is in private service and is not involved in any other crime/ offence and after this Court granted interim protection by the order passed on 21st July, 2017 he has not misused the liberty and has co-operated with the Investigating Agency.

According to the Investigating Agency, the transaction took place at the house of the applicant, money was given to the other accused at the house of the applicant and the forged appointment order was also handed over to the complainant at the house of the applicant.

The application is opposed on the ground that the investigation is in progress and custody of the applicant is required for interrogation.

Considering the facts of the case and accepting the submission made on behalf of the Investigating Agency that custody of the applicant is required for interrogation to unearth certain information, I am not inclined to grant the prayer made in the application.

The application is **dismissed**.

The applicant has enjoyed interim protection granted by this Court by the order dated 21st July, 2017. The applicant shall surrender within three days, failing which note of his conduct be taken at all stages of the proceedings.

JUDGE