

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.573 OF 2017

(Ramesh Bapurao Rangari..vs.. State of Maharashtra, through PSO.PS.Bhadrawati,Tahsil-
Bhadrawati,District-Chandrapur.)

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

Court's or Judge's orders.

Shri A.R.Wagh, Advocate for applicant.

Shri T.A.Mirza A.P.P. for State-non-applicant.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 18, 2017

1] Heard learned counsel for applicant for quite some time and when the Court shows its inclination not to grant anticipatory bail infavour of the applicant he submits that he wish to withdraw the application. Normally, the Court accepts such requests and grant permissions to withdraw the applications. However, in the present case, in view of the nature of the accusations made against the present applicant this Court is of the view that such permission cannot be granted in favour of the applicant and his application has to be dismissed on merit.

2] Shri Maroti Shantaram Nikhade who is employee of C.T.P.S. Chandrapur is having one son and one daughter. His daughter is elder. Son Pravin is educated upto 12th Standard. It appears that after 12th Standard he was not pursuing his further studies and he was in search of employment. Co-accused Praful Helwate who is one of the close relatives of Maroti approached to him on 12/6/2016 and made enquiry

with complainant about son Pravin and also inquired about his education qualification. Upon that it was revealed to co-accused Praful that Pravin is educated upto 12th Standard and is in search of employment. From the first information report it appears that, that time co-accused Praful allured the complainant by saying that there are certain vacancies for post of clerk in W.C.L. and requisite forms are available with other co-accused Shankar Gedam. With lucid words co-accused Praful created confidence in the mind of first informant. It was also revealed to the first informant that other co-accused Shankar Gedam and present applicant Ramesh Rangari are deeply acquainted with the higher officials of the W.C.L. and he can take efforts to provide job in W.C.L.

3] Believing the such, the first informant alongwith co-accused Praful had been to the house of other co-accused Shankar Gedam. Thereafter the present applicant was called, that time it was revealed to the first informant that the present applicant is having a good “setting” with the W.C.L. however for that his son has to fill a form and has to pay Rs. 14,00,000/-. That time, the first informant shown his unwillingness since he was not having the required amount. That time all accused persons impressed upon first informant that they will help first informant to sell out his plot to raise amount. That time, the present applicant also informed that the amount of Rs.14,00,000/- can be paid in two installments. It was also stated by the present applicant that cheque will not be accepted when it was offered by the first informant by

saying that the officials of the W.C.L. only accept cash amount and thereafter the present applicant in a due course obtained Rs. 7,00,000/- in cash from the first informant. This amount was paid after selling plot on 22/6/2016. On the very same day, the said amount of Rs. 7,00,000/- were handed over to the present applicant in presence of other co-accused and also testimonials of his son.

Thereafter, first informant and his son were called in the office of C.M.D. on 25/6/2016 on assurance that on the said day they will be introduced with the higher-ups of the W.C.L. However, on the said day no such meeting took place.

4] On 27/6/2016, first informant got a cellphone call from the co-accused and that time it was informed that E-mail account of the son has to be created since the appointment order will be received through E-mail only. On 29/6/2016 the first informant alongwith his relative and other co-accused had been to C.M.D. office where the present applicant was present. There the present applicant came in a car. The first informant was asked to sit in the said car. The first informant handed over remaining Rs.7,00,000/- in presence of one Pandurang Bobde to the applicant. After receiving the said amount of Rs. 7,00,000/- present applicant assured first informant that on the G-mail account of Pravin he will be receiving the appointment letter .

5] On 1/7/2016, appointment order was received on the G-mail account of Pravin. Not only that the present applicant then informed first informant by making a phone

call that this is only one page appointment letter however within few days seven pages detailed appointment order will be dispatched from the office and it will be received by his son. However, inspite of waiting for about 15 days since no such appointment order was received first informant made a phone call to the present applicant and informed that the appointment order is yet to be received. That time the present applicant assured that co-accused Shankar will hand over the appointment order personally.

6] On 17/7/2016 as per the F.I.R. a nine pages order was received by the first informant through co-accused Shankar and it was informed that Pravin has got employment at Bhallar,Tahsil-Wani,District-Yavatmal and he has to join that place. Accordingly, first informant and his son Pravin went to Bhallar Coal Mines and the appointment order was shown that time they got shock of their life when W.C.L. officials informed that this is not a office order and no such order is issued from the office.

7] In our country, the persons like the present applicant who roams in the society like shark and they are always in search of prey like first informant who are helpless in view of the rising unemployment and are ready to shell out money for securing employment to their sons and daughters. The person like the present applicant are there to exploit the situation to such an extent that they exhort their victims to sell out their properties in order to give money to these persons and thereafter these persons disappear from the scene. In my

view, the Court cannot be mute spectator to such situation. Unless, tough stand is taken against the activities of these types of sharks can not be scale down.

8] In the backdrops of the nature of accusations made in F.I.R. and in view of the material collected till date by the investigating officer against applicant, I am of the view that there is no case in favour of applicant to grant order of pre-arrest bail. Hence, application is rejected.

9] Needless to mention that the interim order 4/8/2017 stands vacated. The investigating officer to take immediate steps against the applicant to face the course of law.

JUDGE