IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.387 OF 2018

Mr.Chandankumar Kedar Prasad ..Applicant
vs.
The State of Maharashtra ...Respondent

Mr.Vikas B. Shivarkar for Applicant.
Mr. R. M. Pethe, APP for Respondent.
Mr. Suhas Gujar, PN Pimpri Police Station.

CORAM : P. N. DESHMUKH, J.
DATE : 18th APRIL, 2018

P.C.:

. Heard learned counsel for applicant and learned APP at length, also perused affidavit in reply.

2. It is case of applicant that he is no way concerned with the present crime and on transfer of amount of Rs.10 Lakhs in his account from some fictitious account he has not withdrawn the same. Record reveals that applicant is working in his capacity as Manager in LIC and had granted amount of Rs.60 lakhs to complainant Abhay Parmar which is deposited in his account with Axis Bank and out of this amount Rs.10 Lakhs is transferred in the name of applicant. It is case of applicant that said amount was received by him from complainant as hand loan as they were on friendly terms. It is also case of applicant that he also has friendly relation with Mr. Raskar and in August 2017 had obtained hand loan of Rs.12 Lakhs from him and repaid it in installments as per Memorandum of Understanding placed on record in support of the application. Though in the complaint which is running into 10 pages role attributed to applicant is of his receiving Rs.10 Lakhs in his account, no satisfactory explanation has come forth from the applicant except for saying that he being on friendly terms with Abhay Parmar as well as Mr.Raskar.

3. According to the report co-accused Mr. Raskar along with Sunny Gaikwad and Tanaji Chandane had executed false and bogus documents regarding purchase of flat owned by Mr. Raskar by executing sale deed in fictitious name, on presenting one person before the sub Registrar and thereafter loan was obtained from LIC Finance after mortgaging Flat No.1003 on preparing false documents. So far as involvement of applicant is concerned it is noted that co-accused Mr.Raskar has obtained money from the purchaser and deposited in the account of Axis Bank which prima facie appears to be bogus account and from that account Rs.10 Lakhs was transferred in the name of applicant.

4. Apparently, there appears no reason for transfer of huge amount of Rs.10 Lakhs in the name of applicant who admittedly is working with LIC. Moreover this crime requires verification of documents and for that purpose custodial interrogation of applicant is necessary as co-accused Sunny Gaikwad and Tanaji Chandane had signed on the document which came to be registered with Sub-Registrar, Haveli, Pune identifying complainant inpite of having knowledge that such person is bogus. As such false document came to be prepared as sub-Registrar also appears to have not verified the identification card of these two persons. Moreover, home loan was obtained with the help of bogus documents and by conspiring with the officers of LIC inclusive of applicant and the same was deposited by opening bogus account in the name of complainant and Rs.10 Lakhs was transferred in the account of applicant on 18/11/2016.

5. Considering nature of offence as aforesaid, custodial interrogation of applicant is found necessary. In the circumstances, there is no substance in the application. Application is rejected.

(P.N. DESHMUKH, J)