

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 517 OF 2018

Sandeep Singh .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. K. K. Mishra, Advocate, for the Applicant

Mr. A. A. Palkar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 19.03.2018

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C. R. No. 78 of 2018 registered with the Virar Police Station, District – Palghar, for the alleged offence punishable under Section 420 r/w 34 of the Indian Penal Code.

3. Learned counsel for the Applicant submits that the Applicant has been falsely implicated in the said case. He submits that there is some discrepancy in the Complainant's statement and the timings mentioned in the FIR. He submits that the allegations are

essentially as against Rudal Pal and not the Applicant.

4. Learned APP opposed the Application.

5. Perused the papers. According to the Complainant – Raju Radheshyam Yadav, a welder, his brother-in-law, Bhimsen Yadav called him in December, 2017 and gave him one mobile number, as jobs were being provided in Singapore. Pursuant thereto, the Complainant called on the mobile and the person disclosed his name as Rudal Pal. The said person i. e. Rudal Pal called the Complainant to Kurla station on 29.12.2017 and thereafter, took him to Virar station to shop No. 19 “Sai International Tours & Travels”, which was situated opposite the Railway Station at Virar. According to the Complainant, Rudal Pal introduced the Applicant to him. The Applicant is alleged to have told the Complainant, that there is fabrication work in Singapore and took his interview. The Applicant took xerox copy of Complainant's Welder Certificate and his original Passport and told him, that he would be paid 1800 \$ for working for eight hours and that the Company would be providing accommodation and food. The Applicant is also alleged to have told the Complainant to pay a sum of Rs. 65,000/- for the same and Rs. 8,500/- towards medical. On 19.01.2018, the Complainant took the

said sum of Rs. 65,000/- & Rs. 8,500/- and paid it to Rudal Pal and accordingly, a receipt was given for the said amount. Rudal Pal is also stated to have returned the Complainant's Passport and is also stated to have given a xerox copy of the ticket dated 29.01.2018 to go to Singapore as well as insurance papers. According to the Complainant, when he inquired about his Visa, he was told to come in the afternoon. Pursuant thereto, the Complainant went to the Applicant's office and saw Rudal Pal was present in the office and when he questioned Rudal Pal about the Applicant's whereabouts, he disclosed that he was not aware, where the Applicant was and that his mobile was coming unreachable. He has further stated that about 60-70 persons were present there and that he learnt that the said persons were also promised jobs and that money was also taken from them and that they were cheated. He has further stated that out of the said persons, six persons' passports were not returned by the Applicant and Rudal Pal. It is informed that there are 60-70 persons from whom the Applicant and Rudal Pal had taken money for getting them employment, abroad. It appears that not only 60-70 persons have been cheated, but out of the said persons, six of them have not received their passports back, which they had handed over to the Applicant and Rudal Pal. It also appears that the Applicant has falsely given his name as Ashok Singh when in

fact, his name is Sandeep Singh.

6. Considering the facts of the case & the nature of allegations, custodial interrogation of the Applicant is necessary. This is not a fit case to grant pre-arrest bail to the Applicant. Accordingly, the Application stands rejected.

7. Needless to state, that if an Application for regular bail is preferred by the Applicant, the learned Judge shall consider the same on its own merits uninfluenced by the observations made in this Application.

(REVATI MOHITE DERE, J.)