

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

ANTICIPATORY BAIL APPLICATION NO.1129 OF 2018

Abhishek Kisanrao Waghere Applicant
Vs.
The State of Maharashtra Respondent

Mr. Satyavrut Joshi for the Applicant.
Mr. S.S. Pednekar APP for the State.

Coram : *Smt. Sadhana S. Jadhav, J.*
Date : *26th July, 2018*

P.C.:

1 Heard the learned counsel for the applicant and the
learned APP.

2 This is an application under Section 438 Code of Criminal
Procedure. The applicant herein is apprehending his arrest in Crime
No.13 of 2018, registered at Pimpri Police Station, Pune, for the
offences punishable under Sections 420, 406, 465 and 471 of Indian
Penal Code.

3 It is the case of the prosecution that on 6th January 2018, one Vanmala Shivaji Deokar lodged a report at the police station alleging therein that she was in search of a job for her son, Sumit who had studied 12th standard. She had contacted her relative Abhishek Kisan Waghere, i.e., the present applicant. It is alleged that the applicant had boasted before the complainant that he is well acquainted with some influential people and that he can employ Sumit as a Security Guard and had demanded Rs.5,00,000/- for the same. The complainant had mortgaged her insurance policy on 23rd May 2016 and subsequently had collected the total amount of Rs.1,72,000/- to be given to the applicant to employ his son as a Security Guard. He had also issued her an appointment letter. Subsequently, it had transpired that the said letter is a bogus letter and therefore she was constrained to file a report.

4 Prima facie, it appears that the applicant herein had demanded an amount of Rs.5,00,000/- under the pretext of giving employment to her son. The applicant had received Rs.1,72,000/-

from the hopeful mother and then cheated them by issuing a false appointment letter.

5 In view of the above circumstances, this Court is of the opinion that the applicant does not deserve discretionary relief under Section 438 of Cr.P.C.. Hence, the application being sans-merits stands rejected.

6 In the eventuality that the applicant files an application under Sections 437 of Cr.P.C. or 439 of Cr.P.C., the same shall be considered on its own merits without being influenced by the dismissal of the present application.

(*Smt. Sadhana S. Jadhav*, J)