

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

CRIMINAL APPLICATION (BA) NO.608 OF 2018

(Dnyaneshwar s/o Daulatrao Walde Vs. The State of Maharashtra thr. PSO PS
Shantinagar, Nagpur)

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

Court's or Judge's orders.

Shri Piyush Shukla, Advocate for Applicant.
Shri V.A. Thakare, APP for Non-Applciant/State.

CORAM: ROHIT B. DEO, J.

DATE: 4th JULY, 2018.

The applicant is arrested in Crime 16/2018 registered with the Police Station Shantinagar, Nagpur for offence punishable under sections 420, 468, 471, 170 read with section 34 of the Indian Penal Code and is in custody since 04.05.2018.

The submission is that it is the son of the applicant Vinay, who is responsible for the alleged cheating, and he is absconding. The applicant has lodged a missing report on 12.06.2017.

Initially, the complainants could not persuade the police to register an offence and approached the learned Magistrate who directed investigation under section 156(3) of the Criminal Procedure Code. It is thereafter that the offence is registered. The case of the complainants is that substantial amounts were paid to the applicant and his son Vinay in January, 2017 on the assurance that the children of

the complainants shall be provided jobs. The role attributed to the present applicant by the complainants is that the present applicant told the complainants that his son Vinay was a C.I.D. Officer who would be in a position to secure the government job for their children. The son of the applicant is absconding. However, from perusal of the material on record, continued incarceration of the applicant is not necessary. The applicant has no criminal antecedents and is not likely to flee away from the course of justice.

The application is allowed.

The applicant be released on furnishing personal bond of Rs.15,000/- with a solvent surety of the like amount.

The applicant shall not tamper with the evidence nor shall the applicant directly or indirectly attempt to influence the witnesses in any manner.

The application is disposed of accordingly.

JUDGE