

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

CRIMINAL BAIL APPLICATION NO. 558 OF 2019

Shaikh Hasnoddin Shaikh Chand Applicant

Versus

The State of Maharashtra Respondent

-
- Mr. Swaraj S. Jadhav for Applicant.
 - Mr. S. H. Yadav, APP for the State/Respondent.
-

CORAM : SARANG V. KOTWAL, J.
DATE : 19th JUNE, 2019

P.C. :

1. The Applicant is seeking bail in connection with C.R.No. I 46 of 2018 registered with Indira Nagar Police Station, Nasik under sections 420, 465, 467 and 468 of the Indian Penal Code. The FIR is lodged on 01/03/2018 by one Tulshidas Patil. He has mentioned in his FIR that he was knowing one Imran Khan Mehboob Khan Pathan. He was an LIC agent and was a teacher. He told the first informant that he was knowing many government officers and he was in a position to procure job for him. He, in

turn, introduced the first informant to the present applicant. On 10/07/2017, the present applicant called all such people who were interested in procuring jobs by paying money. All those people were called by the aforesaid Imran Khan at Dada Saheb Phalke Memorial at Nasik. The present applicant came there in Military uniform. Then the applicant represented to all those who were present that he had, in the past, secured jobs in the army for many people and he would do likewise for the persons who were present there. Based on this representation and believing him, the persons who had gathered there, including the first informant gave him Rs.68 lakhs. The applicant gave some blank cheques by way of security, however, neither any job was given nor those cheques were honoured nor the amount taken from those people was returned by the applicant. Hence, the FIR was lodged.

2. The investigation is over and the charge-sheet is filed. The applicant was arrested on 23/05/2018 and since then he is in custody. The charge-sheet contains statements of the victims. From the entire charge-sheet it is quite clear that the applicant had committed this offence with an intention of cheating people right

from the inception. For the said purpose he collected huge amount and did not take any steps helping them in getting job in the army. His dishonest intention was very clear from the fact that he had come at the gathering of those people in military uniform, so that people would believe him. Thus, all these victims were cheated pursuant to pre-planned conspiracy. In this view of the matter, the offence is clearly made out. The offence is serious and the applicant does not deserve to be released on bail. Application is rejected at this stage. If the trial does not commence within eight months from today, the applicant is at liberty to renew his prayer for bail on merits.

3. Learned counsel for the applicant submitted that he is suffering from heart ailment. Liberty is granted to the applicant to prefer separate bail application on medical ground.

(SARANG V. KOTWAL, J.)