

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

ANTICIPATORY BAIL APPLICATION NO.800 OF 2019

Tanaji Anna Chandanshive & Anr. Applicants

versus

The State of Maharashtra Respondent

WITH

CRIMINAL APPLICATION NO.795 OF 2019

IN

ANTICIPATORY BAIL APPLICATION NO.800 OF 2019

Balasaheb Namdeo Gaikwad Applicant/
Intervener

IN THE MATTER BETWEEN -:

Tanaji Anna Chandanshive & Anr. Applicants

versus

The State of Maharashtra Respondent

.....

- Ms.Rekha Musale, Advocate for Applicant.
- Mr.Balasaheb Deshmukh, Advocate for Intervener in APP No.795/19.
- Mr.S.H. Yadav, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 07th JUNE, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.180/19 registered with Indapur Police Station, District Pune, under sections 420 r/w 34 of the Indian Penal Code.
2. According to the first informant, he was knowing the present Applicant. The Applicant represented to him that both the Applicants were working as agents of an insurance company. He told the first informant that if some amount is invested with that company, the double amount of the principal amount would be given back to him. The first informant accepted the proposal and started paying Rs.550/- per month from 03/10/2010. The first informant paid 40 installments to the tune of Rs.22,000/-. However, subsequently, the Applicants did not bother to repay his amount and therefore he lodged the FIR. The investigation was conducted.
3. I have heard learned Counsel Mr.Balasaheb Deshmukh, for the Intervener. He submitted that the first informant is not

the only victim. There are many such victims, who were duped by the Applicants. He invited our attention to a statement of one Manisha Rahul Makhare recorded by the police. She has stated that, on some pretext the Applicants took possession of her original documents to deprive her of her legitimate right. In short, he submitted that the Applicants have committed this offence many times and have duped many victims.

4. On the other hand, learned Counsel for the Applicants submitted that the Applicants genuinely collected money on behalf of P.A.C.L. India Limited Company and fraud was committed at the company's end. The present Applicants are not involved in the offence. The learned APP supported the arguments of the first informant. He submitted that the money was collected from various victims. However, the investigation so far did not reveal that the fraud was committed by the P.A.C.L. India Limited Company.

5. Taking into account all these circumstances, it is clear that there were many victims. If the fraud was committed by the

P.A.C.L. India Limited Company, the Applicants have not taken any steps to make any complaint or grievance against P.A.C.L. to any authority. The investigation shows that the Applicants themselves have purchased pieces of lands after collecting money from the victims. Though, learned Counsel for the Applicant submitted that the lands were purchased by raising loan, at this stage, the fact is that the Applicants themselves have collected money from various victims on some inducement and the money was not repaid by them. It is necessary to investigate into the allegations.

6. Taking into accounts these circumstances, the custodial interrogation of the Applicant is therefore necessary. The Applicants do not deserve any anticipatory bail. The Application is rejected.
7. In consequence, the Intervention Application is also disposed of.

(SARANG V. KOTWAL, J.)