

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

ANTICIPATORY BAIL APPLICATION NO.846 OF 2019

Manohar Mahipatrao Wagh & Anr. Applicants

versus

The State of Maharashtra Respondent

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- Mr.Hrishikesh Mundargi i/b. Mr.Madan Gupta, Advocate for Applicants.
- Ms.S.S. Kaushik, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 07th JUNE, 2019

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.112/19 registered with Sarkarwada Police Station, District Nashik, under sections 420, 406 r/w 34 of the Indian Penal Code.
2. The facts and allegations pertaining to his application are quite shocking. The gist of the FIR is that one of the practicing advocates in Court of Nashik and the present Applicant No.1 who is his father, met the first informant and

told him that they could help the first informant in getting his case pending in the High Court decided in his favour. Both of them represented that they could get that done as they had close contacts with higher officers of this Court as well as public prosecutors.

3. The FIR mentions that the Applicant No.2 also represented that she had such close contacts. It is further mentioned in the FIR that the Applicants and their son obtained Rs.2,90,000/- from the first informant. Subsequently, since no relief in the Court was forthcoming in favour of the first informant, he lodged his FIR against the present Applicants and their son. Perusal of the FIR shows that a direct role is ascribed to the Applicants.

4. The allegations in the FIR are shocking. These kind of allegations are destroying the very foundation of trust reposed by people on our judicial system. Such practices have to be firmly curbed. Therefore I am not inclined to entertain this application.

5. At the same time it has to be noted that even the intentions and actions on the part of the first informant are not above board and his own actions are illegal. The investigating agency undoubtedly must look into this aspect as well. Unfortunately, the investigating agency has not taken this case as seriously and even the investigating officer has not assisted the Court by remaining present though it is an important issue. The FIR mentions that not only this particular informant but 16 others are also cheated from whom amounts are taken under the same pretext.

6. This entire episode is extremely serious I hope and trust that the investigating agency deals with it with all the seriousness this case deserves. In the aforesaid circumstances, the application is rejected.

(SARANG V. KOTWAL, J.)