

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

ANTICIPATORY BAIL APPLICATION NO.1356 OF 2019

Yogesh Balu Laad	 Applicant
versus	
The State of Maharashtra	 Respondent

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- Mr.Amey Deshpande, Advocate for Applicant.
- Ms.S.S. Kaushik, APP for the State/Respondent.
- PSI A.P. Kavade, Ozar Police Station, Nashik Rural, present.

CORAM : SARANG V. KOTWAL, J.

DATE : 26th JUNE, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.120/19 registered with Ozar Police Station, Nashik Rural, under sections 406, 409, 417, 419, 420, 465, 467, 471 r/w 34 of the Indian Penal Code.

2. The FIR is lodged by one Sudhakar Bhagaji Ghuge on 13/10/2018. In his FIR he has stated that he was an agriculturist. He has three brothers. He and his brothers were in search of jobs. The first informant came to know that one Babu

Genu Mokal had some relative, who was helping people getting jobs. Accordingly, the first informant got acquainted with one Shobha Shejwal through Babu Mokal. She represented to the informant that her relatives were in position of securing jobs for people. After a few dates, the first informant met Amol Bhalerao, Roshan Khalkar, Shobha Lad, Sunil Darade and the present Applicant through said Shobha Shejwal at Saini Dhaba, Ozar. It was represented to the informant that Shobha Balu Lad was a Senior Officer in H.A.L. and she would easily procure jobs for the informant's sons and his brother's sons. All these accused took documents from the informant in respect of his sons and his brother's sons. The FIR clearly mentions that the present Applicant accepted those documents. It was decided that Rs.21,00,000/- was to be paid for the said job. On that count itself Rs.4,00,000/- were paid to Shobha Shejwal.

3. In October 2015, the present Applicant and others called the first informant and his brother Namdeo to Ozar and gave two call letters in the name of informant's brother's sons.

They were called for oral examination at H.A.L. on 12/10/2015. On 12/10/2015 the present Applicant and others took those boys inside the H.A.L. Company and after some time left them outside the gate. At that time, the informant and his brother gave Rs.5,00,000/- to Shobha Lad and Roshan Khalkar. The similar incidents continued till November 2019 and from time to time, the first informant paid money. In February 2017, the present Applicant and others handed over five call letters to the informant and called the informant, his sons and nephews to Airforce at Ozar on 18/02/2017. On that day, the present Applicant and Shobha Lad made a show of taking their oral examination. The informant was promised that his sons and nephews would get the jobs shortly. However, for many days neither any job was given nor the money was returned and ultimately the first informant lodged his FIR.

4. Heard learned Counsel Mr. Amey Deshpande for the Applicant and learned APP Ms.S.S. Kaushik for the State.

5. Learned Counsel for the Applicant submitted that the present Applicant has not committed any offence. He is not involved in any of the offences alleged against him. He submitted that he himself was cheated in the past by some other person.
6. On the other hand, learned APP submitted that a specific role is attributed to the present Applicant and there are supporting statements recorded during investigation.
7. Considering these facts it is more than clear that the present Applicant had actively participated in commission of crime. On one occasion he made a show of taking oral examination of innocent victims. He had even handed over fake call letters to achieve his purpose. Looking at the seriousness of the allegations and the manner in which the victims are cheated and also since many accused are involved; the custodial interrogation of the Applicant is necessary. Hence no case for anticipatory bail is made out. The application is therefore rejected.

(SARANG V. KOTWAL, J.)