

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

ANTICIPATORY BAIL APPLICATION NO.211 OF 2021

Ranjeet Haribhau Modhe Applicant
Versus
The State of Maharashtra Respondent

Mr. Gauraj Shah, Advocate _____ i/b. Nitish A. Sonawane for the Applicant.

Mr. H.J. Dedhia, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 08th MARCH, 2021

P.C. :

1. The Applicant is seeking Anticipatory Bail in connection with C.R. No.125/2015 dated 30th March 2015, registered at Baramati City Police Station, Pune, under Section 420, 471 read with 34 of the Indian Penal Code.

2. Heard Shri. Gauraj Shah, learned Counsel for the Applicant and Shri H.J. Dedhia, learned APP for the State.

3. The F.I.R. is lodged by one Haji Dadulal Bagwan. He has stated that, he was trying to find a job for his son

through V-Connect Placement Service of the present Applicant and one Datta Londhe. He approached them, he met them many times. It is his case that they represented to him that they were in a position to get a Central Government Job for his son for which he would be required to pay certain amount. The F.I.R. mentions that the informant transferred Rs.3,50,000/- in the account of the co-accused Datta Londhe but the informant's son was not given a job. The informant asked for return of his money from both the accused including the applicant. At that time, the informant was returned Rs.90,000/-. Thus, he was cheated to the tune of Rs.2,60,000/-. There are allegations that he was given a forged document showing that his son was called for medical examination. This document was also found to be a forged document. On this basis, the F.I.R. is lodged.

4. The learned Counsel for the Applicant submitted that the allegations are directed against the co-accused Datta Londhe. The F.I.R. mentions that the amount was deposited in the account of Datta Londhe. But to be on a safer side since his

name was dragged in the controversy, the Applicant himself returned the amount, though he was not required to pay the amount of Rs.90,000/- to the informant.

5. On the last occasion, learned Counsel for the Applicant had made a statement without prejudice to the rights and contentions of the Applicant that he was willing to deposit the remaining amount of Rs.2,60,000/- with the trial Court within a period of four weeks from 29.1.2021.

6. Today, learned Counsel for the Applicant makes a positive statement that the Applicant has deposited the amount of Rs.2,60,000/- in the Court of 2nd Joint Civil Judge, Junior Division & Judicial Magistrate, First Class at Baramati on 25.2.2021. He has produced a copy of the receipt to that effect. The copy is taken on record and marked 'X' for identification.

7. The allegations in the FIR show that it was a private dispute and the Applicant has deposited the amount of subject matter. He has shown his bonafides. However, the

investigation can still go on but I am inclined to protect the Applicant by way of an order of anticipatory bail because the amount of fraud is secured. There are allegations that certain letters and documents purportedly issued by the Railways were forged. Those allegations need to be investigated and, therefore, the Applicant will have to cooperate with the investigating agency. Therefore, though I am protecting the Applicant by way of this order, he will have to cooperate with the investigating agency fully. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No.125/2015 registered with Baramati City Police Station, Pune, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned police station as and when called and shall cooperate with the investigation.

- (iii) The trial Court shall pass an appropriate order at an appropriate stage for disbursement of the amount deposited by the Applicant. In the meantime the amount deposited shall be invested in a fixed deposit scheme to be renewed from time to time in accordance with the Rules.
- (iv) Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)

Deshmane (PS)