

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

ANTICIPATORY BAIL APPLICATION NO. 2283 OF 2019

Abhimanyu Singh

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Samyak N. Gimekar i/b Abhijit Nimkar for the
applicant.

Mr. S.H. Yadav, APP for the State/Respondent.

**CORAM: SARANG V. KOTWAL, J.
DATE : 4th MARCH, 2021**

P.C. :

1. The applicant is seeking anticipatory bail in connection with C.R. No.691/2019 registered at Talegaon Dabhade Police Station under Sections 420, 511 read with 34 of I.P.C.

2. The FIR is lodged on 27.8.2019 by one Dr. Dhanaji Jadha. He was the Vice Principal of M.I.M.E.R Medical College, at Talegaon Dabhade. Dr. Rajendra Prasad Gupta was the Principal. On 27/08/2019 at about

5.00 p.m. , when he was in college, the Assistant Registrar Mr. Tandale told him that a parent and his friend is trying for admission. They were assured by some middleman that he would get admission for them. Mr. Tandale, the Assistant Registrar found that circumstance suspicious. The informant asked Shri Tandle to get those two to his cabin. One of them was Laxmikant Swami. He wanted admission for his daughter in that college. He was accompanied by his friend Sudarshan Kulthe. They told the first informant that Laxmikant Swami's daughter wanted admission in that college. They were told by two persons who were in the premises of college that if they paid Rs. 15 lakhs , they would be in a position to get admission for them. The informant told him that this was not the procedure for admission and that they were cheated. Laxmikant Swami and Sudarshan Kulthe then gave names of those two persons who had assured them for admission in college. Their names were Rizwan Abdul Rehman Mohammed and Sushant Parmar. Both of them were brought to the chamber of the informant. They gave

their names. They gave evasive answers. The informant gave information to Talegaon Dabhade Police telephonically. Police came there and arrested those two persons.

3. During their search, two cheques connected with the present applicant were found. On further inquiry, it was revealed that they were acting at the behest of the present applicant and therefore the applicant is sought to be arrested in this case.

4. Heard Mr. Gimekar, learned Counsel for the applicant and Mr. S.H. Yadav, learned APP for the State.

5. The learned Counsel for the applicant submitted that after interim protection was granted, he has attended the police station and has co-operated with the investigation. He submitted that the cheques found with the co-accused have nothing to do with the alleged incident. He submitted that he has not committed any

offence and there is no connection between the him and the co-accused except that co-accused Parmar is his friend since the college. He submitted that he made no representation to Laxmikant Swami or Kulthe and had not assured them of such admission.

6. Learned APP opposed this application. He relied on the investigation carried out so far and statement of co-accused Parmar.

7. I have considered these submissions. The statements of Laxmikant Swami and Sudarshan Kulthe show how they were contacted by the applicant, co-accused Rizwan and Sushant Parmar.

8. During the investigation statement of Sushant Parmar was recorded. He has given details about the role played by the applicant. He has stated that the applicant had told Sudarshan Kulthe that he was in a position to get admission for interested students for the Course in

M.I.M.E.R Medical College, Talegaon Dabhade. The applicant himself had given phone number of Sudarshan Kulthe to Sushant Parmar. That number was given by Sushant Parmar to Rizwan and then Kulthe was contacted. This chain shows that the applicant was instrumental in making false inducement to Laxmikant and Sudarshan Kulthe because of which they were called to college. In that college other two co-accused i.e. Sushant Parmar and Rizwan met them. Vice principal then informed the police. The applicant's role is clearly spelt out. The offence was committed at the behest of the applicant. Though actually money was not transferred but there was clear attempt to dupe parents of the students. The offence is serious. Therefore custodial interrogation of the applicant is necessary to find out as to whether there were other victims. Custodial interrogation is also necessary to find out further activities of the accused and exact role played by the present applicant. No case for anticipatory bail is made out.

9. The application is rejected.

(SARANG V. KOTWAL, J.)