

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (ABA) NO. 806 OF 2020

(Tushar Ramesh Patne ..vs.. State of Maharashtra, through PSO Mankapur, Nagpur)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.M. Nafade, Counsel for the applicant,
Mr. I.J. Damle, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 08-01-2021

The applicant and two others are implicated in Crime 97/2018 registered with Mankapur Police Station, Nagpur for offences punishable under Sections 420, 467 and 471 read with Section 34 of the Indian Penal Code.

2. The substratum of the allegation is that on the basis of false and fabricated documents vehicle loan of Rs.8,50,000/- was availed from the Bank of India. The cheque was issued in the name of M/s. Thaparson Motors, MIDC, Wadi-Hingna Road, Nagpur and was duly encashed. When the account turned red, it was noticed that the cheque was obtained in the name of a fictitious firm and that no vehicle is actually purchased.

3. The submission of the learned Counsel is that the applicant is not the borrower and is only a guarantor who has no role to play in the alleged fraud.

4. I have perused the material in the case diary. The

information supplied by the applicant in support of the financial credibility to stand as the guarantor has turned out to be incorrect. That apart, as many as four similar offences are registered against the applicant and the learned Additional Public Prosecutor Mr. I.J. Damle states that in each of the offences, alongwith the applicant one of the two co-accused is involved.

5. There is an obvious pattern and it would be necessary for the investigating agency to custodially interrogate the applicant without which it would be difficult to give any direction to the investigation. No case for exercise of discretion is made out.

6. The application is dismissed.

JUDGE

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