

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.705 OF 2021

Shaikh Waseem Shaikh Rashid,

..vs..

State of Maharashtra, thr. P.S.O. P.S. Saoli, Tq. Saoli, Dist. Chandrapur.

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

Court's or Judge's orders

Shri R.V. Gahilot, Advocate for applicant.

Shri A.M. Kadukar, A.P.P. for non-applicant/State.

CORAM : VINAY JOSHI, J.

DATED : 07/12/2021

Heard.

2. In anticipation of arrest in Crime No.433 of 2021 registered with Nandura Police Station, District Buldhana for the offence punishable under Sections 420, 467, 468 and 511 of the Indian Penal Code, the applicant is praying for grant of pre-arrest protection.

3. At the instance of report lodged by Branch Manager of Bank of India, the crime has been registered. It is stated that on 03/08/2021, the co-accused namely Firoz Hussain Khan came to the Branch inquiring as to why two Demand Drafts worth Rs.67,00,000/- and Rs.33,03,000/- issued by informant's Bank were not honoured. After checking the images of both the Demand Drafts on the system, informant realized that both the Demand Drafts were not issued by his Nandura Branch and therefore the report.

4. Perused case diary and particularly statement of informant Branch Manager recorded during the investigation. It reveals that co-accused Firoz Khan was came to be arrested who in turn disclosed that the applicant has handed over those Demand Drafts to him. It reveals from the statement of Bank Manager that both the Demand Drafts were issued in the name of co-accused Firoz Khan who has deposited both Demand Drafts with his banker namely Indian Bank Bhanduk Branch, Mumbai. The informant stated that he was contacted by the Branch Manager of Indian Bank inquiring about the genuineness of both the Demand Drafts on which he disclosed that both the Demand Drafts were not issued by the Branch and are fake. Prima facie, it is evident that applicant has prepared false Demand Drafts of huge amount of Rs.1 Crore on the basis of which the attempt was made ultimately to cheat Bank. The matter requires thorough investigation of applicant who has allegedly forged Demand Drafts.

5. Considering the seriousness of the accusation, the applicant is not entitled for pre-arrest bail, hence rejected.

JUDGE

R.S. Sahare