

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 778 OF 2022

Sanju Shivraj Pardeshi

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. M.G. Patil, Advocate for applicant
Mr. A.V. Deshmukh, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATE : 01st AUGUST, 2022**

PER COURT :

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 168 of 2022 registered with M.I.D.C. Police Station, Dist. Jalgaon for the offences punishable under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. The F.I.R. has been lodged by cousin of the applicant herein. It has been stated therein that the husband of the informant retired from the

government service. He has received retiral benefits. He had, therefore, decided to purchase a plot at Jalgaon. The informant approached the applicant and told him her proposal. The applicant, in turn, introduced her with his friend – Atish Rana. Both, the applicant and co-accused – Atish Rana called the informant and her husband to Jalgaon. They accordingly went there on 04th September, 2019. The applicant and co-accused showed them one plot. The informant and her family members approved it. The cost of the plot was said to be Rs.10,21,000/-. Co-accused told them that the amount will have to be deposited in cash. *Sauda Pavati* was executed same day. The applicant has signed the same as attesting witness. A sum of Rs.3,21,000/- was paid in cash. The balance amount was paid by cheque in the name of the plot owner – Arvind Bauskar (co-accused). Lateron, it was revealed that said plot belongs to someone else and not Arvind Bauskar, who was represented by the applicant as owner of the plot. No sooner the cheque was encashed, the co-accused – Arvind Bauskar withdrew the amount and closed the bank account. Entries in the bank account indicate that some amount has been transferred to the present applicant. As such, involvement of the applicant in the offence is writ large.

4. When the Court expressed disinclination to grant him relief, the applicant offered to deposit some amount. The Court has directed him to deposit at least Rs. 4 lakhs to which he readily agreed.

5. In view of above, the application is allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicant be released, in connection with Crime No. 168 of 2022 registered with M.I.D.C. Police Station, Dist. Jalgaon for the offences punishable under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(III) The applicant shall Deposit of Rs.4,00,000/- (Rupees Four Lakhs) before the trial Court. This shall be the condition precedent for release of the applicant on bail.

(IV) If the informant moves an application for withdrawal of the said amount, the trial Court shall grant the same on conditions to be imposed by it.

(V) The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)