IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.581 OF 2022

Mr.Pushkar Rajendra Wangikar ...Applicant
Vs.
The State of Maharashtra ... Respondent

Mr.Ashok Mundargi, Senior Advocate i/b Mr.S.S. Aradhye for the Applicant.
Mr.N.B. Patil, APP for the Respondent-State.
Mr.Bhairavnath Shelke, PSI, Shivaji Nagar Police Station.

CORAM : C.V. BHADANG, J.

DATE : 7 MARCH 2022

P.C.

. The Applicant, apprehending arrest, in Crime No.14 of 2022 registered with Shivaji Nagar Police Station, Pune, under Section 409, 420, 465, 467, 468, 469, 471 read with Section 34 of Indian Penal Code is seeking anticipatory bail.

2. The aforesaid Crime is registered on the basis of the complaint dated 14 February 2022 lodged by Shrikant Vishnu Shete. According to the informant he was acquainted with the co-accused Pushkar Tapare since the year 2015. In the year 2017, Pushkar Tapare introduced the informant, to the present Applicant Pushkar Wangikar.

3. The informant is a Developer and Builder. In the year 2017-2018 the informant had handed over his documents to co-accused Pushkar Tapare for obtaining a Visa for visiting Dubai and Canada in connection with the Pandharpur Redevelopment Project.

4. In short according to the informant during the period from January 2018 to 14 November 2021 the Applicant and the co-accused Pushkar Wangikar had cheated him, inasmuch as the co-accused Pushkar Tapare had created two fake loan accounts of Rs.52,00,000/- each of a vehicle loan in the name of the informant from State Bank of India, University Road Branch at Shivaji Nagar, Pune for purchase of two mini Cooper cars. Further according to the informant a total amount of Rs.3,53,700/- was debited from the four bank accounts of his group companies namely three bank accounts with SBI, Congress Bhavan, Shivaji Nagar and one bank account at SBI, Khadki Branch, Pune. The informant claims that fake loan accounts were created on the basis of the documents handed over by him for obtaining visa while visiting Dubai and Canada, in collusion with the bank officers.

5. On the basis of such a complaint the crime is registered which is under investigation.

6. I have heard the learned counsel for the parties. Perused record.

7. It is submitted by the learned counsel for the Applicant that the Applicant has not signed any of the loan documents nor any of the cars have been purchased or all standing in the name of the present Applicant. The learned counsel pointed out that the informant had made repayment of the loan amount and had also applied to the Regional Transport Authority (RTA) for obtaining a fancy number for the car. It is submitted that the allegations, if any, are mainly against the co-accused Pushkar Tapare.

8. The learned Additional Public Prosecutor has submitted that the documents of the loan cases have been obtained from the State Bank of India. He further submitted that the custodial interrogation of the Applicant is necessary, in order to ascertain his exact role.

9. I have considered the circumstances and the submissions made. A bare perusal of the FIR shows that the allegation against the Applicant is that he had obtained the documents from the informant in the year 2017 for obtaining a visa for visiting Dubai. *Prima facie* there are no allegations made against the Applicant of opening of the fake loan accounts which

allegations appear to be made against the co-accused Pushkar Tapare.

10. The perusal of the order passed by the learned Sessions Judge, refusing to grant pre-arrest bail to the Applicant shows that it is mainly on account of the fact that there is one more similar complaint against Applicant of preparing a bogus loan account in the name of one Jayshree Nagpurkar. However, as submitted by the learned Senior Counsel for the Applicant at this stage it is not shown that there is any complaint lodged by Jayshree Nagpurkar.

11. Considering the overall circumstances, the following order is passed.

<u>ORDER</u>

(i) In the event of his arrest in connection with investigation of Crime No.14 of 2022 registered with Shivaji Nagar Police Station, the applicant-Pushkar Rajendra Wangikar be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The applicant shall report to the Investigating Officer on 16 and 17 March 2022 between 11.00 am to 1.00 p.m. and as and when called by the investigating officer and shall co-operate with the Investigating Agency.

(iii) The applicant shall not tamper with the prosecution evidence/witnesses.

(iv) The Criminal Application is disposed of in the aforesaid terms.

C.V. BHADANG, J.