

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

ANTICIPATORY BAIL APPLICATION NO. 1429 OF 2022

Vaibhav Dattatray Machale) **Applicant**

V/s.

The State of Maharashtra) **Respondent**

...

Mr. Sandeep Phatak, Advocate for the applicant.

Mr. N.B. Patil, APP for State- respondent.

PI, Ramdas Jadhav from Bhigwan Police Station, Pune
present.

CORAM : SANDEEP K. SHINDE J.

DATE : THURSDAY, 9TH JUNE, 2022.

P.C. :

1. Heard Mr. Phatak, learned Counsel for the applicant and Mr. Patil, APP for State. Investigating Officer is present.

2. Applicant seeks pre-arrest bail in Crime No.

101/2022 registered at Bhigwan Police Station, Pune for the offences punishable under Section 420 read with Section 34 of the Indian Penal Code. Complainant's case is that, at the instance of the applicant, he paid Rs.20,00,000/- to accused no.2 from time to time, who had assured him a job. Neither job was offered nor money was repaid and therefore he filed a complaint. Whereafter offence in question came to be registered against the applicant and the co-accused. Pending investigation, complainant has filed an Affidavit sworn on 8th June, 2022 before the Superintendent Additional District and Sessions Judge, Baramati. Complainant is a post-graduate. He is present in the Court. He admits the contents of the Affidavit. Copy of the Affidavit is taken on record and marked "**Exhibit-X-1**" for identification. Complainant has stated in the Affidavit that, he did not pay amount to the applicant. Yet, out of misunderstanding, he has been arraigned as an accused in the subject crime.

3. In consideration of these facts, in my view, the custodial interrogation of the applicant shall not further prosecution case. Hence, the following order :

ORDER

(i) In the event of arrest of the applicant Crime No. 101/2022 registered with Bhigwan Police Station, Pune he shall be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or more local sureties in the like amount;

(ii) Applicant shall join the investigation as and when called by the Investigating Officer.

(iii) Applicant shall furnish his residential address, as well as, permanent address and contact details to the investigating officer within a week;

(iv) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

4. Application is allowed and disposed of accordingly.

5. It is made clear that observations made

hereinabove be construed as expression of opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

NEETA
SHAILESH
SAWANT

(SANDEEP K. SHINDE, J.)

Digitally signed by
NEETA SHAILESH
SAWANT

Date: 2022.06.10
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