

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION (ABA) NO.541 OF 2022

Ashwin S/o Suresh Jadhav

Versus

State of Maharashtra, through P.S.O., P.S. Mangrulpir, Dist. Washim

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.K. Bhangde, Advocate for the applicant.

Shri T.A. Mirza, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : 11/08/2022

1. The applicant is seeking pre-arrest bail in Crime No.533 of 2022, dated 08.07.2022, registered with Police Station Mangrulpir, District: Washim, for the offences punishable under Sections 12 and 7 of the Prevention of Corruption Act.

2. Shri Bhangde, learned counsel for the applicant submits that there are no allegations against the applicant in the First Information Report (FIR), that the applicant had ever demanded any amount from the complainant.

3. It is submitted that on the instructions of the main accused, the applicant went to the house of the complainant. However, the applicant was not knowing the purpose or about any demand made by her superior Smt. Ashwini Govind Dhondge. Therefore, he submits that as

the applicant is no way connect with the alleged offence, this Court may grant pre-arrest bail to the applicant.

4. On the other hand, Shri T.A. Mirza, learned APP strongly opposes the present application and submits that on the date of trap, the applicant accepted the amount of Rs.30,000/- from the complainant and on realization that it is a trap, she ran away with the money. It is submitted that the custody of the applicant is necessary to recover the said amount from the applicant and for the investigation. Accordingly, he prays for rejection of the present application.

5. I have perused the Case Diary and the FIR.

6. Though in the FIR, the allegations about the demand is made against the accused No.1 Smt. Ashwini Govind Dhondge. however, it can be seen that on the date of incident, the co-accused Rajesh Pralhad Giri and present applicant went to the complainant and collected the amount.

7. It appears from the allegations made in the FIR, that the applicant collected the amount from the complainant and when she noticed that it is a trap by the Anti Corruption Bureau, the applicant ran away along with

the money. The custody of the applicant is necessary to recover the amount.

8. Accordingly, I am of the opinion that this is not a fit case for grant of pre-arrest bail. Accordingly, I pass the following order:

The criminal application is **rejected**.

[ANIL S. KILOR, J.]