

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

926 BAIL APPLICATION NO.652 OF 2023
WITH APPLN/1463/2023 IN BA/652/2023

SANDIP JAGANNATH PATIL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Tungar Hrishikesh V.
APP for Respondent-State : Mr. S. B. Narwade.
Advocate for Complainant to assist APP : Mr. Patil Vijay Y.
...

CORAM : S. G. MEHARE, J.
DATE : 27.04.2023

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondent-State and the learned counsel for the complainant to assist learned APP.
2. The applicant is seeking bail in Crime No.135 of 2021, registered at Deopur Police Station, District Dhule, for the offence punishable under Section 420 read with Section 34 of the IPC.
3. It appears from the papers that the accused promised the complainant to make the high profit by investing the money in the property. Accordingly, the accused received Rs.25,00,000/- through R.T.G.S. from the applicant. Accordingly, agreement to

sell was prepared. The complainant learnt that the property for which the agreement was executed was already sold to a third party. Knowing this fact, the complainant learnt that he had been cheated.

4. The father of the applicant is present and during the course of hearing, on his instructions, the learned counsel for the applicant expressed willingness to return Rs.25,00,000/- to the complainant. However, it was not possible for him to arrange the money unless he has been granted bail. It seems that it was a civil transaction, but failed. The complainant is also interested in getting his money back. The applicant seeks six months time to repay the money. The complainant is ready to give an opportunity to the applicant to return his money within six months and on that condition, he may be granted bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SANDIP JAGANNATH PATIL** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.135 of 2021, registered at Deopur Police Station, District

Dhule, for the offence punishable under Section 420 read with Section 34 of the IPC, on the following conditions :

- (a) The applicant shall deposit Rs.25,00,000/- without deducting the so called amount of Rs.2,50,000/- paid to the complainant within six months directly to the bank account of the complainant from which the said amount was withdrawn.
- (b) If the applicant would fail to refund the money as mentioned above to the complainant, his bail would stand cancelled and he shall surrender before the trial Court.
- (iii) Criminal application No.1463 of 2023 to assist the learned APP is allowed.

(S. G. MEHARE, J.)

...

vmk/-