

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1275 OF 2023
WITH APPLN/3004/2023 IN BA/1275/2023

MAHESH SHIVAJI KHADAP
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Prashant B. Jadhav,
Ms. Priyanka P. Shinde
APP for Respondent : Ms. V. N. Patil Jadhav
Advocate for complainant : Mr. Shrikant G. Kawade
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CORAM : S. G. MEHARE, J.

DATE : 17-08-2023

PER COURT :-

1. Heard the learned counsel for the applicant, the learned A.P.P. for respondent No.1/the State and the learned counsel for respondent No.2/the complainant.
2. The applicant seeks bail in C.R.No.I-151 of 2023 registered with Peth Police Station, District Beed, for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code.
3. The learned counsel for the applicant would submit that the entire investigation has been completed. The so-called currency note of Rs.20 Lakh has also been seized. The complainant is the Branch Manager. He did not disclose his source of income, how he arranged such a huge amount. There are no antecedents against the applicant. Hence, the applicant may be granted bail.

4. Per contra, the learned A.P.P. opposed the application. She would submit that the similar offence has been filed against the applicant. The investigation is in progress. What connection he has with the currency note press is to be investigated. That may go to the root of the crime. Hence, the applicant may not be granted bail.

5. The learned counsel for the victim would submit that the report was lodged on 27.06.2023, and thereafter, the crime was registered. Hence, there is no delay. The offence is grave. Hence, the applicant may not be granted bail.

6. After hearing the respective counsels, it is transpired that the similar complaint against the applicant has been lodged by the another person. That goes to show that the applicant is involved in cheating people. The source of money of the complainant is immaterial. The investigation is in progress. The detention of the applicants may be required for further investigation. Hence, without touching the merit, the application stands dismissed as the investigation is in progress.

7. Criminal Application No.3004 of 2023 stands allowed.

(S. G. MEHARE)
JUDGE