

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

937 BAIL APPLICATION NO.1453 OF 2023
WITH APPLN/3232/2023 IN BA/1453/2023

DHANANJAY VENKATRAO INGALE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant :Mr. Satej S. Jadhav h/f. Mr.
Kore Ganesh J
APP for Respondents: Mr. S.B. Narwade.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 5th SEPTEMBER, 2023

ORDER :-

The applicant seeks bail in connection with Crime No. 335 of 2023 registered with police station MIDC, Waluj for the offence punishable under Sections 420, 467, 468, 471, 406, 504, 506, 120-B r/w. 34 of IPC.

2. The prosecution was set in motion on the basis of the report of informant Balaji Bhakad alleging that he had acquaintance with the applicant/accused since 2019. He entered into an agreement to start the business as applicant was having expertise in marketing. The informant used to purchase the tools from him. It is alleged that the informant has deposited an amount of Rs. 14,88,200/- in the account of the accused for purchase of tools and some amount was also paid in cash. However, the informant came to know that the accused has misappropriated the amount. It is further alleged that the applicant/accused has similar

modus-operendi when he defrauded the other persons. On the basis of the aforesaid information, crime was registered against him. He was arrested on 22.7.2023. His prayer for grant of bail is rejected by the learned Sessions Judge. Hence, this application.

3. Mr. Jadhav, learned advocate for the applicant submits that it is matter of business transaction. The applicant was providing his services. The informant was generating profit. The transaction was going on smoothly for long period. However, subsequently there is some misunderstanding that has led to filling of the FIR.

4. Mr. Jadhav would further submit that it is a matter of business transaction. From the allegations in the FIR, it can be gathered that there was no intention to cheat. Mr. Jadhav, on instructions, submits that the applicant is ready to deposit Rs. 5 Lakhs in the court to show his bonafides.

5. The learned APP opposes the prayer for grant of bail on the ground of that apart from the informant, there are other persons who have been defrauded by the applicant/accused. Their statements are recorded which reveal that the applicant is following the same modus-operendi. According to him, there is prima facie case against the applicant.

6. Learned Advocate for the complainant/informant submits that there is a possibility of settlement, since the dispute is regarding monetary transactions.

7. Having considered the submissions advanced, apparently, there was business transaction between the applicant and the respondent. The applicant was working as an agent for selling various

products. The business was going on for considerably long period. There was no such complaint. However, before filing the FIR, the informant has suffered losses because of the blockage of the amount by the accused. The applicant has been arrested on 22.7.2023. The statement of the witnesses have been recorded. The investigation is practically over. The applicant is ready to deposit Rs. 5 Lakhs to show his bonafides. In this background, no purpose would be served by continuing the detention of the applicant behind bars. He can be released on bail subject to certain conditions. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant – Dhananjay Venkatrao Ingale, be released on bail on furnishing PB. and S.B. of Rs. 50,000/- with one solvent surety of the like amount, in aforementioned crime registered with aforementioned police station on the following conditions :-
 - (a) In addition, to show his bonafides, he shall deposit Rs. 5 Lakhs with the trial court within a period of one week. He shall be released only after deposit of amount.
 - (b) He shall not tamper with the prosecution witnesses.
 - (c) He shall attend the trial on each and every effective date.
 - (d) He shall visit the police station, once in a week, i.e. on every Saturday between 10.00 a.m. to 2.00 p.m. till filing of charge sheet.

**[S.G. CHAPALGAONKAR]
JUDGE**

grt/-