

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

50 BAIL APPLICATION NO.1850 OF 2023

**UDDHAV ASHRUBA PARDHE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. S.J. Salunke
APP for Respondent : Mr. K.S. Patil

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**CORAM : S. G. CHAPALGAONKAR, J.
Dated: October 23, 2023**

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PER COURT :-

1. The applicant seeks regular bail in connection with Crime No. 0187 of 2023 registered with Sirsala police station, District Beed for the offence punishable under section 420, 34 of the Indian Penal Code.

2. Investigation was set in motion on the basis of the information given by Navnath Gopinath Mundhe, who alleges that he had oral agreement with the applicant and his son for supply of labours. Said agreement has been made in presence of witness of Mahadev Shinde and Mahdukar Jadhav. It is allegation that informant has paid an amount of Rs.8,88,000/- to the accused persons as per the agreement. Accused was under obligation to provide a group of labours, however, the accused persons further demanded amount, which has been transferred through electronic mode. It is alleged that inspite of receipt of the amount, the accused have failed to supply the labours or also refused to pay the amount. On the basis of the

aforesaid information, crime no.187 of 2023 came to be registered. Pertinently, the transfer is for the period from 13.8.2022 to 14.10.2022. The applicant has been arrested on 2.9.2023. Since then, he is in jail.

3. Mr. Salunke learned advocate appearing for the applicant would submit that the applicant is innocent person and falsely implicated in the aforesaid crime. He would submit that the applicant is aged about 60 years and suffering from ailments as can be noted from the remand papers. He would submit that the transactions, if any, appears to be with accused Vijay Pardhe i.e. son of the applicant. The applicant has not received any amount. The further detention of the applicant would not be necessary.

4. Learned A.P.P. strongly opposes the prayer for grant of bail on the ground that investigation is in progress and charge-sheet is yet to be filed.

5. Having considered the submissions advanced, apparently, transaction appears to be for the period from 13.8.2022 to 14.10.2022. The complaint is lodged on 1.9.2023. Perusal of the FIR would show that the amount has been transferred through phone-pay on mobile number of the accused Vijay Pardhe. There is nothing on record to demonstrate that the amount was paid to the present applicant. Record show that amount of Rs.3,27,000/- has been accepted by the son of the applicant, who is co-accused. The applicant is arrested on 2.9.2023. He was remanded to PCR

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for two days. Investigation so far as the applicant is practically over. The alleged offences are punishable with maximum punishment of seven years. In that view of the matter, further detention of the applicant would not be necessary. Hence, case is made out for grant of bail. Hence, the order.

O R D E R

- i. Bail Application is hereby allowed.
- ii. The applicant - UDDHAV ASHRUBA PARDHE be released on bail in connection with Crime No. 0187 of 2023 registered with Sirsala police station, District Beed for the offence punishable under section 420, 34 of the Indian Penal Code on his furnishing P.B.&S.B. of Rs.50,000/- (Rs.Fifty Thousand), on the following conditions :-
 - a] The- applicant shall not tamper the prosecution evidence.
 - b] The applicant shall visit the concerned police station once in a week i.e. on every Friday between 10 am to 2 pm till filing of the charge-sheet.
 - c] The applicant shall attend each and every effective date before the trial court.
- iii. Bail application is accordingly disposed off.

(S.G. CHAPALGAONKAR)
JUDGE.

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