

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

ANTICIPATORY BAIL APPLICATION NO.1649 OF 2022

**SURAJ MADHUKAR CHEKE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Mr. D.A. Mane h/f Mr. Umesh Bodkhe Patil, Advocate for Applicant
Mr. V. S. Badakh, APP for Respondents – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 08th FEBRUARY, 2023

PER COURT :

1. Applicant apprehends arrest in Crime No.535/2022, registered with Jalna Police Station, Jalna, for offence punishable under sections 406, 504, 506 r/w 34 of the Indian Penal Code.
2. FIR is lodged by Vandana Satish Khandebharad against applicant, his father and mother, and one Shubham Shivaji Shinde alleging that applicant and his parents gave them assurance of loan of Rs.50 Lakhs from Balaji Trust, as applicant's father is trustee of the said trust. For passing the said loan, processing fees of Rs.1,50,000/- was given to the applicant's parents. On 01/06/2022, parents of the applicant and driver Shubham Shinde came to the house of informant and took her Chevrolet car bearing No.MH-05-CA-2523, for bringing the loan amount. The said car is allegedly sold to accused No.4 Shubham Shinde.

3. Heard learned advocate for applicant and learned Additional Public Prosecutor for State. Perused the investigation papers.

4. It is the case of applicant that accused No.1 is his stepmother, his father married to accused No.1 Lata after separating from his mother. Applicant does not stay with them. Applicant is aspirant of employment in S.R.P.F. He has successfully cleared written examination and is waiting for the call of physical examination.

5. Perusal of investigation papers reveal that main allegations are made against parents of the applicant. Amount of Rs.1,50,000/- and the car appears to be with parents of the applicant and not with the applicant. It is alleged that applicant was present along with his parents at the time when his parents assured sanction of loan of Rs.50 Lakhs to the informant.

6. Applicant was granted interim protection and he has cooperated in the investigation. Nothing is to be recovered from applicant. In the facts of the present case, pre-trial custodial detention of the applicant is not necessary.

7. In the result, application is allowed.

8. In the event of arrest of applicant in Crime

No.535/2022, registered with Jalna Police Station, Jalna, for offence punishable under sections 406, 504, 506 r/w 34 of the Indian Penal Code, applicant be released on executing Personal Bond of Rs.15,000/-, with one surety in the like amount.

9. Till filing of charge-sheet, applicant shall attend concerned police station as and when called by investigating officer. Applicant shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)