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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2142 OF 2023

Akshay Vijay Vharambale	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr. Kedar P. Lad, for the Applicant.

Mrs. Rutuja Ambekar, APP for the State/Respondent.

Ms. Sunita Shelake, Shahupuri Police Station.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 1, 2023

P.C.:

1. Apprehending arrest in connection with C.R. No.461 of 2022, for the offence punishable under Sections 420, 406, and 506 of the Indian Penal Code, 1860 at Shahupuri Police Station, Dist. Kolhapur. The applicant is seeking relief under Section 438 of Code of Criminal Procedure, 1973.

2. It is the case of the prosecution that the co-accused Vijay Vharamble is retired Police Naik. The complainant Avinash Ashok Mane wanted to join Police department in the year 2016 after passing 12th examination. After inquiry, he got information that co-accused No.1 is running an Academy to train the students who want to join the Government service. Therefore, he joined the said academy. He tried for SRP in the year 2018, but he was not

selected. The co-accused No.1 had told the complainant that in January 2019, the advertisement for police recruitment will be published, if he will pass the physical test, then he will assist him in written paper but he will have to pay for the same. Therefore, the complainant paid Rs.20,000/-, Rs.20,000/- and Rs.15,000/- respectively from time to time to co-accused Vijay Vharamble. Thereafter, also co-accused No.1 demanded Rs.2,90,000/- from the complainant. Hence, he went to the house of co-accused to pay the said amount of Rs.2,90,000/-. At that time present applicant-accused who is the son of the co-accused was available in the house. He paid Rs.2,90,00/- in the hand of applicant-accused. But the complainant did not get any service. The complainant asked for refund of the said amount but co-accused No.1 did not refund the said amount. Hence, the demanded money from the applicant, but applicant also refused to pay the amount and also threatened him. As such according to the present complainant the co-accused No.1 had shown the false promise to provide him the job in the Police department and has insisted him to pay above said amount for the said job and thereby cheated him. Therefore, he lodged the report against the co-accused No.1.

3. The applicant, therefore, filed an application before the Sessions Judge, which came to be rejected by order dated 20th July 2023.

4. On perusal of the material on record, including case diary, it appears that the statement of victims have been recorded under Section 164 of Code of Criminal Procedure 1973. It indicates that co-accused is the father of the applicant, asked the applicant to

receive various amounts from various victims. The statement prima facie, indicates that the acceptance of various amounts by the applicant. It appears from the material on record that false promises made by the accused persons of providing employment have not been fulfilled. Therefore, custodial interrogation of the applicant is necessary to investigate into similar types of incidents in relation to other victims and to unearth the modus operandi of the applicant along with co-accused. Recovery of amount accepted from victims is to be made.

5. The anticipatory bail application stands rejected. No costs.

(AMIT BORKAR, J.)