

Santosh

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

ANTICIPATORY BAIL APPLICATION NO. 377 OF 2023

SANTOSH
SUBHASH
KULKARNI

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KULKARNI
Date: 2023.08.25
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Shailendra Sukhdev Gaikwad

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Shailesh Chavan, a/w Pruthviraj Chavan & Rushikesh
Avhad, for the Applicant.

Mrs. Ashwini Takalkar, APP for the State.

CORAM: N. J. JAMADAR, J.

DATED : 23rd AUGUST, 2023

Order:-

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with CR No.1057 of 2022 registered with Wakad Police Station, Pune, for the offences punishable under Sections 420 and 406 read with Section 34 of the Indian Penal Code, 1860 ("the Penal Code").
3. The first informant lodged a report with the allegation that the applicant and the co-accused had induced her to part with an amount of Rs.55,000/- by making a false representation that they would be offered lucrative travel package. No offer was made for the period of one month. When the first informant

demanded the refund of the amount the applicant and the co-accused gave evasive answers and switched off their phones. It further transpired that other persons were also duped like the first informant.

4. The learned Counsel for the applicant submits that no specific role has been attributed to the applicant except an omnibus assertion that he was present in the office alongwith others and gave information about the scheme. The learned Counsel for the applicant further submits that co-accused Shubham Pawar, who is alleged to be the Director of the said company, has been directed to be released on bail in the vent of arrest by this Court by an order dated 21st January, 2023 in ABA/266/2032.

5. The FIR indicates that Shubham Pawar was implicated as a Director of the company. This Court while ordering the release of Shubham Pawar observed that *prima facie* Shubham Pawar also appeared to be the victim of the machinations of co-accused Sunil Sarode. In FIR no specific role is attributed to the applicant. The applicant is on interim protection since 7th February, 2023.

6. Hence, the following order:

: O R D E R :

- (i)** In the event of arrest of the applicant in CR No.1057 of 2022 registered with Wakad Police Station, Pune, he be released on bail on furnishing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- (ii)** The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the person acquainted with the facts of the case.
- (iii)** The applicant shall cooperate with the investigation and report to the Investigating Officer as and when directed.

Application stands disposed.

[N. J. JAMADAR, J.]