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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.838 OF 2023**

Rohit @ Dagar Sadashiv Pawar ...Applicant
vs.
State of Maharashtra ...Respondent

Mr. Kuldeep U. Nikam for the Applicant.
Mr. H. J. Dedhia APP for the Respondent-State.

CORAM : S. M. MODAK, J.

DATED : 24TH MARCH 2023

P. C. :

1. Heard learned Advocate for the Applicant and learned APP for the Respondent-State.
2. On the complaint of one Amol Madhukar Gholap, ensuing candidate in an employment of the Zilla Parishad, Satara, the Umbraj police station on 8th November 2022 has registered the offence punishable under sections 406, 420, 468, 471 read with 34 of IPC, against in all four persons. Out of them, present Applicant is one of them.
3. The sum and substance of the allegation is that the Applicant along with his colleague has assured the complainant of job in the Zilla Parishad, Satara and persuaded him to part away money. In

fact, the said job is in Zilla Parishad involving public employment which can only be filled in through certain procedure. However, the Applicant along with his colleague has taken on themselves, responsibility of providing jobs in public employment. The first informant and few other persons trusted him and parted him money. The Applicant and his colleague went to the extent of issuing appointment letters so as to convince the first informant that 'Yes, they have been given employment'. When compliance of remaining things occurred, accused No.4 – Vikram Chavan entered on scene and he assured candidates about training and accepted from them the appointment letters. Thereafter the first informant realized that he has been cheated, then he approached the police.

4. Learned Advocate for the Applicant submitted that so far as latter part about giving training is concerned, his client has no role to play. He also submitted that FIR is filed on 8th November 2022, belatedly, that is to say, the first informant realized about being cheated on 20th June 2022. They have approached the police after long interval.

5. So far as the status of the Applicant is concerned, it is submitted that the Applicant is office bearer of various NGOs and he

has participated in various public functions and helped needy persons. The photographs of those functions are annexed at page 18 to page 25. Even after taking instructions, learned Advocate for the Applicant has shown readiness to deposit the amount in the Court.

6. Learned APP has opposed grant of anticipatory bail vehemently for the reason that the first informant and others were cheated and there is prima facie material showing involvement of present Applicant including payment about the amount. He also submitted that investigation on the point, who prepared appointment letters needs to be carried out and for that purpose custodial interrogation of the Applicant is required.

7. Learned APP read over the statements of some of those candidates. He also submitted that in fact this Applicant has issued certain cheques in the name of candidate Vikram Nalawade and they were dishonoured on presentment. He also submitted that Anticipatory Bail Application of coaccused Vikram Chavan was rejected by this Court.

8. This Court could have certainly considered readiness shown on behalf of the Applicant to deposit the amount, however, it could not be accepted for the reason that there are appointment letters issued

and the investigating agency have also made correspondence with the Zilla Parishad about authenticity of these letters and the authorities have disowned them. The police wants to investigate as to who has prepared those appointment letters. So custodial interrogation is required. There is prima facie involvement of the Applicant showing acceptance of money and promises were given. No case for grant of anticipatory bail is made out. Anticipatory Bail Application is rejected.

9. These are my prima facie observations.
10. Parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]