

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

ANTICIPATORY BAIL APPLICATION NO. 1624 OF 2023

Mahadev Shankar Kalshetti	 Applicant
v/s.	
The State of Maharashtra	 Respondent

**WITH
INTERIM APPLICATION NO. 2385 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO. 1624 OF 2023**

Dr. Vinod Balbhim Kolhapure	... Intervenor
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In the matter between :-

Mahadev Shankar Kalshetti	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Ritesh Thobde a/w. Mr. Changdev Shingade for the Applicant.
Mr. R.M. Pethe, APP for the State.
Mr. Rahul Vijaymane for the Intervenor.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 08th AUGUST, 2023.

P. C. :-

1. The Applicant apprehends his arrest in C.R.No.184/2023 registered with Jodbhavi Peth Police Station, Solapur for the offences punishable under sections 406, 420 r/w. 34 of the Indian Penal Code.

2. The FIR reveals that the Applicant had introduced the first informant to the co-accused Archana Panicker and had informed him

that she was serving in Customs and could get gold in custom auction for lesser amount. It is alleged that the Applicant had induced the first informant to purchase gold from the co-accused. Accordingly, the first informant had paid cash of Rs.12,25,000/- to the co-accused towards price of 25 tolas of gold and had paid an amount of Rs.25,000/- to the Applicant as commission.

3. The first informant had instructed the Applicant herein to return the money. It is stated that the Applicant herein had obtained the cheque dated 26/07/2021 for Rs.2,88,000/- from the co-accused and that the said cheque has been dishonoured. The co-accused failed to give the gold or return the money. Hence, the FIR came to be lodged against the Applicant as well as the co-accused for the aforesaid offences.

4. The FIR as well as other material on record prima facie reveal that the Applicant herein had only introduced the first informant to the co-accused – Archana. The allegations are essentially against the co-accused whose application for pre-arrest bail has been rejected.

5. Considering the nature of accusations against the Applicant, by

order dated 09/06/2023, he was granted interim protection. Learned APP states that pursuant to the said order, the Applicant has reported to the Investigating Officer and he has been interrogated.

6. Having considered the nature of the accusations as against the Applicant and the material in support thereof, in my considered view, this is a fit case to exercise discretion under section 438 of Cr.P.C. Hence, the interim bail granted to the Applicant vide order dated 09/06/2023, stands confirmed. The Applicant shall report to the Investigating Officer as and when required.

7. Application along with Interim Application stand disposed of in above terms.

PREETI
HEERO
JAYANI

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by PREETI
HEERO JAYANI
Date: 2023.08.09
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(SMT. ANUJA PRABHUDESSAI, J.)