

Apoorva Prashant Hire ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Ravi Kadam, Sr. Advocate a/w Mr. Vaibhav Bhure i/b Mr. Hemant Kenjalkar for the Applicant.

Mr. Pritam P. Runwal for the Intervener.

Mr. S.S. Hulke, APP for the State.

Mr. Kiran Pandit Patil, ASI, Satana Police Station, Present.

CORAM : N.R. BORKAR, J.
DATED : 17 JANUARY 2023

P.C. :-

This is an application under Section 438 of the Code of Criminal Procedure.

2. The applicant is apprehending his arrest in Crime No. 225 of 2022 registered at Satana police station for the offences punishable under Sections 406, 420, 120-B read with 34 of the Indian Penal Code.

3. I have heard the learned senior counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the respondent No. 2.

4. The applicant is coordinator and trustee of various educational institutes. According to the complainant, he is a retired police inspector. According to him, in the year 2014 the co-accused Pradip Tatiya had

approached him and assured him that he would get his son appointed in the educational institutes of which the present applicant is trustee. According to the complainant, he then met present applicant, who assured him to appoint his son in D.Ed. College. According to the complainant, in view of said assurance from time to time, he paid Rs.20 lakhs to the co-accused Pradip Tatiya. It is alleged that the applicant and other co-accused failed to keep their promise and thereby deceived him.

5. The entire allegations of demand are against co-accused Pradip Tatiya. The learned counsel for the respondent No. 2 submits that the applicant is involved in one more similar crime. However, the complainant who is a retired Police Inspector cannot allege, in the facts and circumstances of the case, that the present applicant and co-accused had cheated him.

6. Even otherwise, the allegations of demand are not against the present applicant. I am, therefore, inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in Crime No. 225 of 2022 registered at Satana police station for the offences punishable under Sections 406, 420, 120-B read with 34 of the Indian Penal Code, he shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(iii) The applicant shall attend the concerned police station from 30 January 2023 to 1 February 2023 between 11.00 am to 2.00 pm and shall co-operate in the investigation.

7. Interim Application does not survive and the same is disposed of.

(N.R. BORKAR, J.)