

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.172/2023
Milind Divakar Meshram .vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. V. Rai, Advocate for applicant.
Mr. M. J. Khan, A.P.P. for non applicant-State.

CORAM : ANIL L. PANSARE, J.
DATE : APRIL 20, 2023.

The applicant is apprehending arrest in Crime No.29/2022 for the offences punishable under Sections 420, 467, 468, 471, 120(B) read with Section 34 of the Indian Penal Code, 1860.

2. Briefly stated, the First Information Report indicates that the informant has named three persons namely; Laxman Wakulkar, Mayur Wakulkar and Ganesh Dhale for cheating him by obtaining Rs.7,50,000/- for providing Government job. The FIR further indicates that two other persons were also duped by these three persons. The sum and substance of the FIR is that these three persons have taken Rs.20,00,000/- on the pretext of providing Government job, which they did not.

3. The role of the applicant has been disclosed in the investigation. The accused Mayur is said to have transferred an amount of Rs.3,00,000/- in the account of the applicant. Learned A.P.P. has invited my attention to the case diary. The

accusation against the applicant is that applicant has prepared forged appointment letter and passed on the same to Mayur on his WhatsApp which, in turn, has been transferred to the informant. It further appears that the applicant and one more accused namely Palandurkar has accompanied the informant to the J.J. Hospital for medical examination for seeking appointment.

4. Learned counsel for the applicant has vehemently argued that the name of the applicant is not mentioned in the FIR and that the transaction under question is of the year 2017 but the FIR has been lodged in January, 2022, which, according to him, is an afterthought.

5. To my mind, though there appears delay in lodging FIR, the material shown against the applicant is writ large. He appears to be involved in the crime. The amount of Rs.3,00,000/- has been transferred in his account at the relevant time by the co-accused. It further appears that he was acting behind the scene. Therefore his name is not reflected in the FIR. The investigation is in progress. The custodial interrogation of the applicant will only reveal as to how this entire racket is working. Thus, there is no substance in the application. The application is liable to be rejected. The same stands rejected accordingly.

(Anil L. Pansare, J.)