



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.466 OF 2023

(Subham s/o Ganesh Ingole Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. B.L. Borikar, Advocate for the applicant.
Ms Sneha Dhote, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- DECEMBER 12, 2023.

Heard.

2. By this application, the applicant is seeking anticipatory bail in connection with Crime No.490/2023 registered with Police Station Jaripatka, Nagpur for offences punishable under Section 420 read with Section 34 of the Indian Penal Code.

3. Learned Counsel for the applicant submitted that the applicant is apprehending arrest at the hands of police as crime is registered against him on the basis of report lodged by Rajshree Kshitij Pakhide who has alleged that she got acquainted with the present applicant through facebook. While communicating with each other, the present applicant introduced her to his father. She also disclosed to him that she needs a job. On that count, he promised her that his father would get her job in the Ordinance Factory and obtained Rs.2,00,000/- from her.

4. After accepting the amount, no job is received by her, nor has she received the amount that was paid by her. On the basis of said report, police have registered the crime against the present applicant.

5. Learned Counsel for the applicant further submitted that as far as the allegation is concerned which is against his father, in the year 2007 present applicant was only 30 years of age. He is implicated because his father has accepted an amount. His custodial interrogation is not required, and prays for protection.

6. Said application is strongly opposed by the State on the ground that not only the father but also the present applicant were present at the time of the alleged transaction. It further appears from the investigation papers that the amount was accepted and a promise was made to her to give job in the Government establishment. The allegations are of serious nature. The custodial interrogation of the present applicant is required and prays for rejection of the application.

7. After hearing the learned Counsel for the applicant and learned Additional Public Prosecutor for the State. Perused the investigation papers. It reveals from the recitals of the FIR that not only the co-accused but also the present applicant was present at the time when the complainant handed over the amount. It further reveals from the investigation papers that the false promise was given to the informant of giving a job in the

Ordinance factory which is Government establishment and on false promise, the amount was obtained from her. Admittedly, the allegations are of serious nature.

8. Considering the investigation is required and the custodial interrogation of the present applicant is also a part of investigation. In view of that no case is made out to grant protection to the present applicant.

9. Hence, the application deserves to be rejected and the same is accordingly rejected.

(URMILA JOSHI-PHALKE, J.)

**Divya*