



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 BAIL APPLICATION NO. 1597 OF 2024

HEMANT CHANDRAKANT KULKARNI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Patil Jitendra Vijay.

APP for Respondents-State : Mr. A. S. Shinde.

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CORAM : S. G. MEHARE, J.

DATE : 04.10.2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondents-State.

2. The applicant seeks bail in Crime No.477 of 2023, registered with Chalisgaon Police Station, District Jalgaon, for the offences punishable under Sections 420, 406, 464, 466, 468, 471 read with Section 34 of the IPC.

3. It is the case of impersonation. The daughter of the applicant impersonated her as a practicing lawyer. She was trapping the litigants and extracting huge amounts from them. Seven crimes on similar allegations were registered against her. The prosecution find that a huge amount of Rs.11,00,000/- was transferred to the account of the applicant which he

withdrew and used. The complainant had deposited that amount. He alleged that the promises were made to give him a relief out of his matrimonial disputes pending in the Court. The prosecution has a case that the applicant was instigating and supporting his daughter for extracting such money from the poor litigants.

4. Learned counsel for the applicant would submit that in an earlier report lodged by the applicant there was no whisper about the applicant. However, subsequently, the allegations have been made against him that his bank account was used for collecting the money. The applicant is not the co-accused in another crime. For the first time, he has been arraigned as an accused. Hence, he may be granted bail.

5. Learned APP has vehemently opposed the application. He would submit that the safety of the litigants is in danger due to the acts of the applicant and his daughter who are extracting lacks of rupees from the poor litigants under the false promise to give them relief quickly. His daughter was not a lawyer. She was cheating the poor litigants with a skill to convince them that she is a lawyer and she would give them quick relief. The applicant never inquired with the applicant when the amount of Rs.11,00,000/- was transferred to his

account, why he had deposited that amount. On the contrary, he withdrew that amount and used for his own benefit. The offence is against the society and indirectly affecting the trust of the litigant in a judicial system. A strong and sufficient evidence is against the applicant. Hence, he may not be granted bail.

6. The allegations and submissions mentioned above reveal that applicant had kept silence on receiving the huge amount of Rs.11,00,000/- from the complainant in his bank account. He had knowledge about the activities of his daughter. It cannot be believed that he had no concern with his daughter. His daughter seems to be an expert pretending to be a lawyer and catching the poor litigants on the wrong promises of quick relief in the Court of law. In this case, it has been alleged that she has extracted Rs.72,64,200/- from the complainant. It is a huge amount. She was repeatedly involved in the identical crimes. The conduct of the applicant is sufficient to believe that he was knowing the illegal activities of his daughter. He never showed his bonafide to inquire with the complainant why he deposited such a huge amount in his account.

7. Considering the way of committing crime and extracting huge money from the litigants, the Court is of the view that the

litigants need to be protected from such persons and in future, no other litigant should be cheated for nothing. Therefore, this Court is of the view that the applicant does not deserve bail.

8. Bail application stands dismissed.

(S. G. MEHARE, J.)

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vmk/-