



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1951 OF 2023

Ram Sandipan Shelke

... Applicant

VERSUS

The State of Maharashtra
and another

... Respondents

.....

Mr. S.S. Thombre, Advocate for Applicant

Mr. S.R. Wakle, APP for Respondents – State

Mr. M.P. Kale h/f Mr. S.K. Naikwade, Advocate for Informant

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th MARCH, 2024

ORDER :

1. Applicant apprehends arrest in Crime No.59 of 2023 registered with Beed Cyber Police Station, District-Beed for offences punishable under sections 417, 419, 420, 465 read with section 34 of the Indian Penal Code and under sections 66, 66-C and 66-D of Information and Technology Act.

2. FIR is lodged by Rangnath Sopanrao Kalkute at Cyber Cell of Police Station, Beed alleging that applicant told him that his friend was serving in one petroleum company and that he will help him for getting sanction for CNG gas pump. Then applicant introduced informant to his friend namely Sandip Sharma. He was induced by Sandip Sharma and Hanif Khan to

invest amount of Rs.34,25,000/- time to time on various pretexts by preparing false and bogus documents. Thus, applicant and co-accused persons cheated him for Rs.34,25,000/-.

3. Heard learned advocate for applicant, learned APP for the respondents-State and learned advocate for informant. Perused the investigation papers.

4. Applicant claims to be innocent. He submits that he had executed a rental agreement of his land Gut No.125 with accused Hanif Samir Khan, M.D., Kaifco Corporation Limited, Jaipur, Rajsthan. Except allegations that he introduced the main accused Sandip Sharma to the informant, there is nothing against him in the entire FIR.

5. In the investigation it is *prima facie revealed* that two accused persons are involved in the crime i.e. Sandip Sharma and Hanif Khan. Except bare allegations against applicant that he introduced Sandip Sharma to informant and from time to time informant made payments to the extent of Rs.34,25,500/- to Sandip Sharma, for obtaining CNG gas pump, *prima facie*, there is no material on record to show actual involvement of applicant in the present crime.

6. From the rent agreement executed by Hanif Samir Khan with applicant and his relatives, *prima faice*, there appears substance in the contention that, he is victim of fraud played by Sandip Sharma and Hanif Samir Khan,

7. Applicant was granted interim protection and he has co-operated in the investigation. Nothing is to be recovered from the applicant, in the facts of the present case his pre-trial custodial detention is not necessary.

8. Application is therefore allowed by confirming interim protection granted to applicant on 19.12.2023.

9. Till filing of the charge-sheet, applicant shall attend the concerned police station as and when called by the Investigating Officer. Applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE