



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2001 OF 2023

Anuja D/o Sunil Nimbhorkar

VERSUS

The State Of Maharashtra

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Mr. C. C. Deshpande, Advocate for Applicant

Mr. S. B. Pulkundwar, APP for Respondents

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CORAM : R.M. JOSHI, J

DATE : JULY 11, 2024

PER COURT :

1. Applicant apprehends arrest in connection with Crime No. 31/2023 registered with Aurangabad Rural Cyber Police Station, Aurangabad for the offence punishable under Section 420 of Indian Penal Code and Section 66(D) of the Information & Technology Act, 2008.

2. Perusal of the first information report indicates that report has been lodged for the reason that after the initial conversation between the parties, once the concerned girl did not respond to the call made by the informant. On this count, offence is registered against present Applicant who runs a matrimonial site.

3. Learned Counsel for the Applicant submits that there is no substance in the allegations made against the Applicant, however, to show bona fides the amount of Rs. 5,000/- received from the informant has been deposited in this Court. It is his further submission that this is not the case wherein custodial interrogation of the Applicant is necessary.

4. Learned APP vehemently opposed the application.

5. Perusal of the FIR *prima facie* does not show any offence of cheating being committed by the present Applicant. Merely because the person whose mobile is referred by the Applicant for contact does not received the call once, it cannot be said that there is a offence committed of cheating by the Applicant. Moreover, considering the fact that the Applicant has already deposited amount of Rs. 5,000/- in this Court, this Court finds no reason or justification not to confirm the interim relief granted by this Court.

6. In view of above, application is allowed by confirming interim order dated 07th December, 2023.

(R. M. JOSHI, J.)

Malani