

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1604 OF 2023

Sanjay Duryodhan Yadav	..Applicant
Versus	
State of Maharashtra	..Respondent

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Mr. Apar Raje i/b. V. S. Sonawane for Applicant.
Ms. Mahalakshmi Ganapathy, APP for State/Respondent.
Mr. Vaibhav Gaikwad for Complainant.

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**CORAM :- SARANG V. KOTWAL, J.
DATE :- 8 FEBRUARY 2024**

P.C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No.34 of 2023, registered at Pandharpur Taluka Police Station, Solapur Rural, under Sections 420, 406 and 409 r/w. 34 of the Indian Penal Code.
2. Heard Mr. Apar Raje, learned counsel for the applicant, Ms. Mahalakshmi Ganapathy, learned APP for the State and Mr. Vaibhav Gaikwad, learned counsel for the complainant.
3. The F.I.R. is lodged by one Javed Bagwan. He has

stated that, he was having his commission Agent shop. The applicant used to visit his shop. They knew each other. The applicant told him that, he was investing in share market and that he was getting good returns. He induced the informant to invest Rs.1 lakh on the promise of returning Rs.1,68,000/- as interest and Rs.1 lakhs as principal amount. Thus, total amount of Rs.2,68,000/- was promised to be given back within one year. The informant believed him. Initially, the applicant returned Rs.70,000/-. The informant, on his inducement, invested Rs.3,50,000/- more. Similar to him, the informant's friend Vinod Mahadik invested Rs.14 lakhs, but the interest as promised was not paid, the principal amount was not returned and, therefore, this F.I.R. is lodged.

4. Learned counsel for the Applicant could not dispute the allegations in the F.I.R. He suggested that some reasonable time should be granted to the applicant for making the payment, but he did not come forth with any definite proposal. He requested this Court to decide the matter on merits of the case. On the other hand, on merits also, he did not have any substantial submissions

to make.

5. Learned APP, as well as, learned counsel for the first informant opposed this application. They relied on the allegations in the F.I.R.

6. The F.I.R. speaks for itself. It is a case case of cheating. The amount of more than Rs.17,80,000/- is lost by two persons including the informant. No case for grant of protection U/s.438 of the Cr.p.c. is made out. The Applicant's custodial interrogation is necessary to trace the money trail.

7. The application is rejected.

(SARANG V. KOTWAL, J.)