

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

ANTICIPATORY BAIL APPLICATION NO.490 OF 2024

Shubham Vishnu Galande
versus
The State of Maharashtra

.... Applicant
.... Respondent

.....

- Mr. Vikrant Phatate i/b. Mahesh S. Arjun, Advocate for Applicant.
- Mr. C. D. Mali, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 21st FEBRUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.542/2023, dated 06/12/2023, registered with Malshiras Police Station, Solapur Rural, under sections 420, 465, 468 r/w 34 of the Indian Penal Code.
2. Heard Mr. Vikrant Phatate, learned counsel for the Applicant and Mr. C. D. Mali, learned APP for the State.
3. The FIR is lodged by one Abhishek Aswale. He has stated that one Jalinder Kadam told his family that he knew many officers who were on responsible posts in the Railway

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department. They would take Rs.12 lakhs and would give jobs for the post of T.C. in the Railways. The informant was interested in getting a job. He and his family members paid Rs.5 lakhs in cash to Kadam and Rs.7 lakhs through the said Kadam's cousin. Thus, they paid Rs.12 lakhs. On 06/07/2022 the informant received a joining letter. He showed that letter to Jalinder Kadam, who told the informant to go to the house of the Applicant's mother on 13/07/2022. Accordingly, the informant came to Mumbai on 14/07/2022. At that time, the Applicant had come to receive him. He took the informant to his house. The informant met the Applicant's parents. The Applicant's father assured the informant that his work would be done. Thereafter on 15/07/2022, the Applicant's mother took him to CST office and introduced him to one Sandip Deshmukh. The FIR thereafter goes on to mention as to how the Applicant was made to participate in a fake basic training course and as to how he was misled into believing that he would get an identity card, the salary account number, the PF account number, etc. Ultimately, he did not get anything. He did not get the job. He

realized that his amount of Rs.12 lakhs was misappropriated. On this basis, the FIR was lodged.

4. Learned counsel for the Applicant submitted that considering the entire allegations in the FIR, it is quite clear that the Applicant has not played any role in the offence. He is a 20 year old student and his custodial interrogation on the basis of the vague allegations is not necessary.
5. Learned APP relied on the allegation in the FIR. He submitted that a specific role is attributed to the Applicant. The amount taken from the informant is yet to be recovered.
6. I have considered these submissions. As rightly submitted by the learned counsel for the Applicant, the Applicant has hardly played any role in the entire episode. The only allegation against him is that he had come to the S.T. stand to receive the informant. He has neither introduced the informant to any officer of railway or to any person who claimed to be an officer of the railways. The misrepresentation was made

by his parents. The Applicant is a 20 years old young student. His custodial interrogation will irreparably affect his future. In this view of the matter, the Applicant can be protected u/s 438 of Cr.P.C.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.542/2023, dated 06/12/2023, registered with Malshiras Police Station, Solapur Rural, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station as and when called and shall cooperate with the investigation.
- (iii) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)