

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1941 OF 2024**

Sagar Babasaheb Tharkar	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Tarun Kumar Sinha for applicant.

Mr. Tanveer Khan, APP for respondent-State.

Mr. Sandip Sawant, PI, Crime Branch Unit-4, Pimpri Chinchwad.

**CORAM : MANISH PITALE, J.
DATE : 29th JULY, 2024**

P.C. :

. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No.0557 of 2024 dated 26.04.2024, registered at Police Station Hinjwadi, District Pimpri Chinchwad, for offences under Sections 409, 420, 465, 468, 471 and 120-B of the Indian Penal Code, 1860.

3. The grievance of the informant is that the named accused persons duped him on a false promise of providing job which would fetch handsome salary. Eventually, he was given a job which fetched him meager salary and in that context, he was constrained to approach the police. The applicant was subsequently arraigned as accused during the course of investigation.

4. The learned counsel for the applicant submits that the applicant is not named as an accused in the FIR. He has been roped in merely because he is

one of the directors of Baxeex Private Limited. It is submitted that one of the named accused persons Paresh Patil is also a director in the said company. But, he appears to have acted in his individual capacity. It is submitted on behalf of the applicant that the applicant responded to the notice issued by the investigating officer and also, produced certain documents. It is further submitted that the applicant intends to co-operate further with the investigation and therefore, the application may be considered favourably.

5. On the other hand, the learned APP submits that this case involves duping innocent persons on the false promise of providing job fetching handsome salary. Although the applicant is not named as an accused in the FIR, his role came to light during the course of investigation and it is an admitted position that he is a director in the aforesaid company, where the co-accused person Paresh Patil is also a director.

6. This Court has considered the material on record in the light of the rival submissions. A perusal of the statement of the informant shows that he has neither named the applicant nor made any specific grievance against the applicant or all the directors of the said company. The thrust of the allegation appears to be against the named accused persons. The amount paid by the applicant for obtaining such a job, was allegedly transferred in the account of a named accused person Vikrant Bhosle. At this stage, it does not appear that there is any material to show that the aforesaid amount found its way to the bank account of the aforesaid company or the applicant himself.

7. The applicant responded to the notice issued by the investigating officer and also, produced certain documents, thereby showing his willingness to co-operate with the investigation. In such a situation, this

Court is inclined to allow the present application.

8. In view of the above, the application is allowed in the following terms:
- (i) In the event the applicant is arrested in connection with FIR No.0557 of 2024 dated 26.04.2024, registered at Police Station Hinjewadi, District Pimpri Chinchwad, he shall be released on bail on furnishing PR Bond of ₹ 25,000/- with one or two sureties in the like amount to the satisfaction of the trial Court;
 - (ii) the applicant shall remain present before the Investigating Officer on 01.08.2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when the Investigating Officer calls upon him to remain present;
 - (iii) the applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case;
 - (iv) The applicant shall co-operate with the investigation and also in the proceedings before the trial court.
9. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.
10. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial court shall proceed further in the matter without being influenced by the observations made hereinabove.
11. The application stands disposed of.

(MANISH PITALE, J)