

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

ANTICIPATORY BAIL APPLICATION NO. 2311 OF 2024

Sandeep Bhikaji Avadhut	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Nikhil G. Hire for the Applicant.
Mr. Mayur S. Sonavane, APP for Respondent-State.
PSI – Gaikwad, Abhona Police Station, Dist. Nashik.

**CORAM: MANISH PITALE, J.
DATE : 4th SEPTEMBER 2024**

P.C. :

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

2. The applicant is apprehending arrest in connection with FIR No. 0122 of 2024 dated 27th July 2024 registered at Abhona Police Station, Dist. Nashik, for offence under Section 420 of the Indian Penal Code, 1860 (IPC).

3. The informant has approached the Police with a grievance that the applicant being a journalist had given an impression to the informant that the applicant would be able to ensure mutation of the name of the father of the informant in respect of a particular land. While giving such a promise, the applicant allegedly extracted various amounts totaling to Rs.1,50,000/-. But,

eventually, no positive steps were taken by the applicant to fulfill his promise. This allegation is made in the background of a proceeding alleged to have remained pending and eventually being decided, when the father of the informant and his aunt were raising competing claims regarding the said land.

4. The learned counsel for the applicant submits that the applicant being a journalist, who has been reporting on certain illegal activities of the persons belonging to the place and community to which the informant belongs, there is possibility of false implication in the present case. It is submitted that when the appropriate proceeding before the concerned authority pertaining to mutation entries had been decided, there was no question of the applicant making any promise to the informant to help mutate the name of the father of the informant in respect of the land in question.

5. On the other hand, the learned APP has opposed the present application. He points out that during the course of investigation, certain persons have come forward with a similar grievance against the applicant. It is also brought to the notice of this Court that the applicant has criminal antecedents and FIR No. 43 of 2019 was registered against the applicant at Vani Police Station, for similar offences of cheating and forgery, as also another FIR No. 268 of 2021, registered against the applicant for offences under the IPC, as well as the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

6. This Court has perused the statement of the informant, leading to registration of the FIR. Considering the allegations made therein, the basic ingredient of inducement is *prima facie* made out and it is seen that on the basis of such inducement, the informant parted with an amount of Rs.1,50,000/-, but the promise allegedly given by the applicant was never fulfilled.

7. Apart from this, it is relevant to note that during the course of investigation, certain persons have come forward to say that even they had paid substantial amounts to the applicant on a promise of possession of certain agricultural land being arranged by the applicant. It is alleged that even in those cases, the applicant never fulfilled his promise.

8. Apart from this, it is relevant to note that the applicant has criminal antecedents and at least one more crime is registered against him for allegations pertaining to cheating and forgery.

9. In such a situation, no case is made out for granting anticipatory bail. The application is dismissed.

MANISH PITALE, J.