

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2562 OF 2024

Mahesh Bapu Londhe ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Jayant Bhatt (through VC) a/w. Mr. Atul Gupta, Mr. Hamid Khan and Ms.Gargie Boss for Applicant.

Mr. Mayur S. Sonavane, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : OCTOBER 04, 2024

P.C. :

. Heard Mr. Bhatt, learned counsel appearing for the applicant and Mr. Sonavane, learned APP appearing for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No.0335 of 2024 dated 03.08.2024 registered with Dighi Police Station, District - Pimpri Chinchwad, for offences under Sections 406 and 420 of the Indian Penal Code, 1860 (IPC).

3. The informant, in the present case, is a lady, who has raised a grievance that the applicant took substantial amount of Rs.4.5 lakhs from her on a promise of handing over a flat. She had contacted the applicant on the basis of an advertisement that she came across. It is her case that positive steps were not taken by the applicant to make good his promise and therefore, he has committed the aforementioned offences.

4. It is alleged that in reply to the requests sent by the informant, the applicant kept on promising that he would pay the amount, but no amount was paid by the applicant.

5. The learned counsel for the applicant on the last occasion, after arguing for substantial period of time and when this Court was not inclined to accept his submissions, took time to take instructions from the applicant as to whether he would be ready to pay amount of Rs.4.5 lakhs to the informant.

6. Today, the learned counsel appearing for the applicant submits that he does not have instructions to make any positive statement in that regard.

7. This Court has considered the material on record. The statement of the informant, leading to registration of the FIR *prima facie* makes out the ingredients of the offences alleged against the applicant. The learned APP has informed this Court that apart from the subject FIR, there are three more FIRs registered against the applicant, one in the very same police station and two others in Bhosari Police Station where identical allegations have been made against the applicant.

8. In fact, the statements of the first informant in the said three FIRs have been recorded as statements of witnesses in the present FIR during the course of investigation.

9. This Court is of the opinion that the aforesaid material further indicates that the applicant has not made out a case for being granted the relief of anticipatory bail.

10. The application is dismissed.

(MANISH PITALE, J.)

Minal Parab