

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

**ANTICIPATORY BAIL APPLICATION NO. 3008 OF 2024**

Prabhudas Shahaji Aagawane

...Applicant

**Versus**

The State of Maharashtra

...Respondent

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- Mr. Rupes Zade, for Applicant.
- Mr. Bapu V. Holambe-Patil, APP for Respondent.

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**CORAM : MANISH PITALE, J.**

**DATE : 14<sup>th</sup> NOVEMBER, 2024.**

**P. C. :**

1. Heard learned counsel for the applicant and the learned APP for the respondent – State.
  
2. The applicant is apprehending arrest in connection with First Information Report No.0448 of 2024, dated 04.07.2024, registered at Police Station Karad Taluka, District Satara, for offences under Sections 406 and 420 read with Section 34 of the Indian Penal Code, 1860 (IPC).
  
3. The allegation against the applicant is that while he took tractor, trolley, construction equipments and also material, including sand for construction purposes from the informant, he neither paid the dues pertaining to the said material nor has he returned the tractor, trolley and vehicle to the informant.

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SHRINIVAS  
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4. The learned APP has brought to the notice of this Court that the informant is not the only aggrieved person, but there are others who have been duped in a similar manner by the applicant. It is submitted that the statement of the witnesses show that a number of such persons have been duped by the applicant, including one person to whom rent of 50 tones crane to the tune of ₹ 12 Lakhs is due and payable.

5. Despite the fact that the learned counsel for the applicant has vehemently submitted that this could be said to be a pure civil / commercial dispute being given the colour of criminality, the fact that the applicant has continued to retain the vehicles without paying the amount due to the informant, as also the fact that other similarly situated persons have been duped by the applicant, no case is made out for granting interim relief. The application is dismissed.

(MANISH PITALE, J.)