



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO. 84/2024

(Suraj s/o Arvind Thakare V/s The State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms. K. Deshpande, Advocate h/f Mr. T.S.Deshpande, Advocate for the
applicant.

Mrs. H.N. Prabhu, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- JULY 10, 2024.

By this application, the applicant is seeking pre-arrest bail in connection with Crime No.104/2011 registered with Police Station Sonegaon, District Nagpur for the offences punishable under Sections 419, 420, 468, 471 read with Section 34 of the Indian Penal Code.

2. The accusation against the present applicant is on the basis of report lodged by one Mahesh Haritrambak Saoji, on an allegation that he was interested in purchasing the property at Nagpur, and one Sachin Dattatray Patil introduced him to the present applicant and another co-accused i.e. Sajid Sultan Khan. At the time of the agreement, different individuals were present there. It was informed to the informant that the plot belongs to Sajid Sultan Khan and therefore, the informant entered into an agreement to purchase the plot and paid consideration amount towards earnest money. Even after, making the payment of the entire consideration amount,

the sale-deed was not executed in his favour. Subsequently, he came to know that the name of the Sajid Sultan Khan is in fact Siraj Khan Pathan alias Banti. Thus, he was duped by the co-accused and the present applicant, and therefore, he lodged the report.

3. Learned Counsel for the applicant submitted that no specific role is attributed to the present applicant. He has already cooperated with the investigating agency as per the directions of this Court and now the custodial interrogation is not required. She further submitted that as far as the investigation part is concerned, no specific role or any vital role is attributed to the present applicant and nothing is to be recovered from him. In view of that, interim protection granted to the present applicant deserves to be confirmed.

4. Learned APP strongly opposed the present application on the ground that considering the involvement of the present applicant in the economic offence, the application deserves to be rejected. She further invited my attention towards the criminal antecedents against the present applicant.

5. I have heard learned Counsel for both the parties. Perused the recitals of the FIR as well as the investigation papers from which it reveals that the informant entered into the agreement with one Sajid Sultan Khan for purchasing the plots and the sale-deed is not executed in his favour. Thus, the transaction appears

to be between the informant and one Sajid Sultan Khan. As far as present applicant is concerned, no specific role is attributed to him and he has already cooperated with the investigating agency by attending the police station. In view of that, his custodial interrogation is not required, therefore, the interim protection granted to him deserves to be confirmed.

6. Hence, the application is allowed.

7. The interim protection granted to the present applicant vide order dated 01/02/2024 is hereby confirmed on the same terms and conditions in addition to that the applicant shall attend the concerned police station once in a week i.e. on every Monday between 10.00 a.m. to 1.00 p.m. till filing of the charge-sheet and shall cooperate with the investigating agency.

8. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*