



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.201 OF 2024

Aniket s/o Ravindra Dongre

Vs.

State of Maharashtra, Through Police Station Officer, Police Station,
Sonegaon, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. K. Bhangde, Advocate for applicant.

Mr. M. J. Khan, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 02/07/2024

1. By this application, the applicant is seeking pre-arrest bail, in the event of his arrest in connection with Crime No.186/2023 registered with Police Station Sonegaon, District Nagpur, for the offences punishable under Sections 120-B, 420, 465, 468, 471 read with Section 34 of the Indian Penal Code, 1860.

2. The allegation against the present applicant is on the basis of the report lodged by Umesh Nanaji Kakde, who alleged that he holds the qualification and therefore, he was in search of the job. He informed the co-accused that he is in need of job and if any suitable job is available for him, he should inform. Accordingly, the co-accused informed him that the jobs were available in Hindustan Scout and Guides, and introduced him with present

applicant and his uncle Anil Dongre. It is alleged that present applicant and his uncle Anil Dongre informed him that for getting job in Hindustan Scout and Guides, he has to pay Rs.8,00,000/- and obtained the said amount. As per the allegation, the present applicant has received the amount of Rs.1,50,000/- in his account.

3. Learned counsel Mr. A.K.Bhangde for the applicant submitted that prior to the registration of the crime, the amount of Rs.1,50,000/- is already repaid by the present applicant to the complainant therefore, his custodial interrogation is not required. He further submitted that co-accused are already released on bail by this Court. Considering the fact that the amount is repaid. Now, the further custodial interrogation of the present applicant is not required and therefore, the anticipatory bail by way of interim protection granted to the present applicant deserves to be confirmed.

4. Learned APP strongly opposed the said application on the ground that the applicant along with the co-accused duped the complainant by accepting the amount of Rs.8,00,000/- which is a huge amount for unemployed person, therefore his custodial interrogation is required and in view of that, the application deserves to be rejected.

5. After hearing the learned counsel for the applicant and learned APP for the State, perused the recitals of the FIR as well as investigation papers, from which it reveals that the amount of Rs.1,50,000/- was received by the present applicant which he had already repaid. Considering the fact that the payment is already repaid by the present applicant and he has already cooperated with the investigating agency by attending the Police Station, his incarceration is not required. In view of that, I proceed to pass following order:

ORDER

(i) The interim protection granted to the present applicant in connection with Crime No.186/2023 registered with Police Station Sonegaon, District Nagpur, for the offence punishable under Sections 120-B, 420, 465, 468, 471 read with Section 34 of the Indian Penal Code, is hereby confirmed on the similar terms and conditions.

(ii) The applicant shall attend the concerned Police Station as directed by this Court by order dated 22.03.2024, till filing of the charge-sheet.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)