



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

CRIMINAL APPLICATION (ABA) NO. 747/2023

Lukesh @ Lokesh s/o Amrut Nannaware V/s 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

Mr. B.M. Kharkate, counsel for applicant.

Mr. N.H.Joshi, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/01/2024.

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 420, 465, 467, 468, 471 and Section 120-B read with Section 34 of the Indian Penal Code, 1860.

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

Dongre and his uncle Anil Dongre. It is further alleged that Aniket Dongre and his uncle Anil Dongre informed him that for getting job in Hindustan Scout and Guides, Ujwal Nagar, Nagpur, he has to pay Rs. 8,00,000/- and introduced him with one Pankaj Chairagade. Accordingly, he handed over the said amount to the said Pankaj Chairagade.

3. It is further alleged that the training letter was issued to him which was forged one. Thus, he is not received any job, though he has paid the amount. On the basis of said report, police have registered the crime against the present applicant and other co-accused.

4. The learned counsel for the applicant submitted that as far as the allegations against the present applicant is concerned, is only to the extent that he introduced the informant with the other co-accused. There is no whisper in the F.I.R. report that either present informant has paid any amount to the present applicant, and he has issued any letter or any communication to the informant. Thus, only role attributed to him, to the extent of introducing the informant with other co-accused. Considering the role attributed, his custodial interrogation is not required and therefore, he be protected by granting anticipatory bail.

5. The said application is strongly opposed by the State, on the ground that the present applicant is the person, who introduced the informant with other co-accused and other co-accused have obtained the money. The custodial interrogation is required to ascertain whether the present applicant has used such modus in committing any another crime. In view of that, present application deserves to be rejected.

6. Having heard learned counsel for the applicant and learned APP for the State, perused the investigation papers. As far as the allegation against the present applicant is concerned, there is no whisper that the informant has either paid any amount to the present applicant or the present applicant received any amount by informant. The only role attributed to the present applicant is that he has introduced the informant with one Aniket Dongre and Anil Dongre. The further transaction has taken place after introduction with Aniket Dongre and Anil Dongre.

7. Furthermore, it reveals from the recitals of the FIR and the investigation papers that, whenever informant has visited the Aniket Dongre and Anil Dongre, the present applicant accompanied him. Considering the role attributed to the present applicant, admittedly the custodial interrogation of

the present applicant is not required, as nothing is to be recovered from him. The role attributed to the present applicant is only to the extent of introduction.

8. In view of that, prima facie case is made out by the present applicant to enlarge him on anticipatory bail. In view of that, I proceed to pass following order:

- a. The criminal application is allowed.
- b. The applicant – Lukesh @ Lokesh s/o Amrut Nannaware be released on anticipatory 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 420, 465, 467, 468, 471 and Section 120-B read with Section 34 of the Indian Penal Code, 1860, on executing P.R. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.
- c. The applicant shall attend the concerned Police Station once in a week on Sunday between 10.00 a.m. to 01.00 noon and shall cooperate with the investigating agency.

- d. The applicant shall furnish his cell phone number and address with the address proof.
- e. The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J]