



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

CRIMINAL APPLICATION (ABA) NO.244 OF 2024

(Gopal Singh Tomar s/o Julasingh Vs. State of Maharashtra thr. its Cyber Police
Station, Nagpur City, Dist. Nagpur)

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

Court's or Judge's orders.

Mr. Ashish Deep Verma Counsel assisted by Mr. Abhinav P. Vyas Counsel for
Applicant.
Ms. T. H. Udeshi, APP for Non-Applicant/State.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 5th SEPTEMBER, 2024.

1. Apprehending the arrest at the hands of police, in connection with Crime No.98/2023 registered with Cyber Police Station, Nagpur City, District Nagpur for the offence punishable under Sections 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code, 1860 and Sections 66(c) and 66(d) of the Information Technology Act, 2000, the applicant approached to this Court for grant of pre-arrest bail.

2. Learned counsel for the applicant submitted that as far as the allegation against the present applicant is concerned, it is only to the extent of some guidance to the investors to invest the amount in PLC Ultima Crypto Currency run by Platincoin Private Limited. He submitted that the recitals of the FIR shows that no benefit was

received by the present applicant, but the only role is attributed to him that he guided the investors to invest the amount by mentioning that they can get the profit seven times if they invest the amount. He submitted that considering the allegations against the present applicant his custodial interrogation is not required. Moreover, after he released on ad-interim protection, he has co-operated with the Investigating Agency. In view of that, the interim protection granted to him deserves to be confirmed.

3. Learned APP strongly opposed the said application on the ground that the only inducement on the part of the present applicant is not there, but the investors have lost their amount, and therefore, the custodial interrogation of the present applicant is required and prays for rejection of pre-arrest bail and the other accused persons yet to be arrested. In view of that, she prays for rejection of the pre-arrest bail.

4. After hearing the learned counsel for the applicant and on perusal of the recitals of the FIR and the investigation papers it reveals that the allegation which against the present applicant has guided the investors to invest the amount and accordingly they have invested the amount. Thus, considering the role attributed to the present applicant and considering the fact that after releasing the applicant on ad-interim protection and he has not misused the liberty. The interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed

to pass the following order:

- a] The criminal application is allowed.
- b] The interim protection granted to the applicant by order dated 12.04.2024 is hereby confirmed with the similar condition.
- c] The applicant shall attend the concerned police station once in a month i.e. on 5th day of every month and shall co-operate with the Investigating Agency.
- d] The other condition imposed shall remain as it is.

5. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)