

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.161 OF 2025

SIDDHESH PANDURANG SAWANT	...Applicant
VS	
STATE OF MAHARASHTRA	...Respondent

Adv. Niranjana Mundargi a/w. O. Jadhav & Mr. Pranil Gadhave,
Advocate for the Applicant.

Mr. Mayur Sonavane, APP for the State.

Mr. Balaji Thakur, Bavdhan Police Station Pune.

CORAM : RAJESH S. PATIL, J.

DATED : 3 FEBRUARY 2025

P.C.:

1. The Applicants are seeking anticipatory bail in connection with the F.I.R. No.1210 of 2024, dated 20 October 2024, registered at Hinjewadi Police City Police Station, District Pimpri Chinchwad under Sections 204, 308 (3), 336 (3), 336 (4), 338, 340, 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

2. It is the case of the prosecution that in the F.I.R. that the First Informant Samir Wankhede, residing at Bavdhan, Pune, is a partner of M/s. Safe Techno Services Firm wherein Kiran Chaudhary and Dr. Alok

Mishra are also partners in said Company. On 22 October 2024, at around 9:30 a.m., while the First Informant was parking his car in the open space in front of his office, an unidentified man approached him and asked for his name. When the First Informant identified himself, the man introduced himself as Thorvat (Accused No.1). He then stated that he was from the CBI Office and claimed to have knowledge about certain activities taking place in the First Informant's company. The First Informant made his best efforts to explain to Accused No.1 that there was nothing wrong going on in his company. After that Accused No.1 dialed a number from his mobile phone, removed the headphones from his neck, handed them to the First Informant, and informed him that his boss was on the call. It is further alleged in the FIR that while speaking through the headphones, the person on the other end introduced himself as being from the Special Unit, Mumbai, and stated that he had the file of the First Informant's company. He further said that if they were interested in closing the file, the First Informant should speak to his person. Thereafter, Accused No.1 told the First Informant that his boss was a good person and that if he arranged ₹15,00,000/-, the file of the First Informant's company would be closed. After hearing, the First Informant requested for some time to speak with other other partners, Accused No.1 thereafter informed him that he would visit the First Informant's office between 5.00 p.m. to 6.00 p.m in the evening.

3. The First Informant thereafter had conversation with his partners, and they decided to verify whether the said unknown person was actually from C.B.I. Department. The fact remains that the First Informant's Company was not engaged in any illegal activities for which they would be targeted. On 22 October 2024, at 5.15 p.m., the First Informant received a call from intercom phone from watchman's cabin, which is situated on the ground floor of informant's office. The said unknown person (Accused No.1) informed the First Informant that he had arrived near his office and wanted to meet him. Thereafter the First Informant along with his partner Kiran Chaudhary went down stairs and met Accused No.1. The First Informant, his partner, and Accused No.1 then sat in the First Informant's car, where Accused No.1 inquired about the decision regarding the payment Rs.15,00,000/-. At that time, the First Informant confirmed with his partner Kiran Chaudhary, felt that the demand was too high, and suggested that they should settle for Rs.10,00,000/-. Thereafter Accused No.1, called Accused No.2 from his phone and handed the phone to Kiran Chaudhari, the partner of the First Informant, and asked to speak. At that time, the First Informant called upon Accused No.1 to show his Identity Card. Accused No.1 then flashed his identity Card, which had the C.B.I. Logo, and his name was written as Vinod Annappa Thorvat.

4. The said Accused No.1 thereafter told the First Informant that they should finalise the amount at Rs.12,00,000/- and that he would inform to Accused No.2 accordingly. The said Accused No.1 then instructed the First Informant to bring the cash on 24 October 2024 and meet at Sarasbaug, Pune . After that he walked away from the car.

5. The First informant, therefore, directed his office staff, Samir Wankhede, to check where Accused No.1 was going. Mr. Samir Wankhede thereafter followed Accused No.1, he could see the Accused No.1 leaving on a Honda Passion bike. On 24 October 2024 the First Informant received call from Accused No.1, who said that he was waiting at Sarasbaug and asked why the First Informant had not yet arrived at the site. At that time, the First Informant informed him that due to on going MLA Elections, there was a heavy police presence on the roads, making it difficult to reach the location with the money because of checks, and therefore, request him to visit his office and take the money. The said Accused No.1 informed him that he would reach the office within 30 minutes. There acts of Accused made This Action made the First Informant suspect, that Accused No.1 might be a bogus C.B.I. Officer. As a result, the partners of the firm decided to approach the concerned Police Station,Bavdhan Police Station. Upon visiting the Police Station, they narrated the entire incident. Accordingly, the police

set up a trap, and the Accused No.1 was caught.

6. As far as Accused No.2 is concerned, he is working with the police department. And as per instructions of the APP, the C.B.I. Special Unit wrote to the Senior Inspector, Bavdhan Police Station on 23 January 2025, informing them that the present Applicant had been for deputation to their office from 28 May 2019 to 25 October 2024, and that he has been repatriated to his parent department on 25 October 2024.

7. Mr. Mundargi appearing for the Applicants submit that the Applicant is in service of police department and certain allegations have been made against Applicant. The main allegations is that Accused No.1 who has already been arrested, and the goods that were required by the police have already been seized. Therefore, there is no need to take custody of the present Applicant.

8. In my view, As per the letter from C.B.I. dated 23 January 2025, Applicant/Accused No.2 was working with C.B.I. on deputation at the time of the alleged incident. The learned APP submits that they need custodian interrogation to verify from the present Applicant how many more people were involved in the present crime. They will also need to collect information from the present Applicant regarding the amount of cash he has received from several individuals under the pretext of being a C.B.I. officer and using this to close their files.

9. Considering the allegations and the offences charged against the Applicant/Accused No.2, I find that custody of the Applicant is necessary in order to trace the entire network and the monies involved, in which the present Applicant is implicated. In view of the matter, there are no merits in granting relief to the Applicant at this stage. Applicant has failed to make out a case for protection.

10. Hence, the present *Anticipatory Bail Application is rejected.*

(RAJESH S. PATIL, J.)