

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1161 OF 2025

Tejas Charudatta Tambe. ... Applicant.
Vs.
The State of Maharashtra ... Respondent.

Mr. Asif Shaikh, Advocate for the Applicant.

Mr. Ashok S. Gawai, APP for Respondent/State.

Mrs. S.R. Mundhe, Mahim Police Station.

**CORAM : ASHWIN D.BHOBE, J.
DATE : 30TH MAY, 2025.
(VACATION COURT)**

PC. :

1. Heard Mr. Asif Shaikh, learned Advocate for Applicant and Mr. Ashok Gawai, learned APP for Respondent-State.
2. By the present Application, the Applicant is seeking Anticipatory Bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for Short "BNSS Act, 2023") in connection with the C.R. No. 72 of 2025 registered at Mahim Police Station, Mumbai for offence punishable under Section 406, 420 read with Section 34 of Indian Penal Code.
3. Case of the prosecution is that the Complainant was exploited by

the persons accused in the said crime, by giving false assurance of securing public employment. Persons accused in the crime alongwith the Applicant induced the Complainant to part with amount under the promise of securing public employment. Complaint narrates various instances pertaining to the amount demanded by the accused persons and paid by the Complainants. Participation of the Applicant with the other persons accused involved in the job scam is revealed from the allegations in the FIR at page 26.

4. Mr. Asif Shaikh, learned Advocate for the Applicant states that FIR does not indicate the Applicant having received any amount and further he makes a solemn statement that no amount has been received by the Applicant in his account. He submits that there is delay of more than 2 years in registering the FIR. He states that there is no communication between the Complainant and the Applicant apart from the solitary incidence referred to in the FIR wherein the Applicant is alleged to be present at the time when discussions were held alongwith other accused for securing public employment upon payment. He states that the Applicant is not involved in the Crime alleged and therefore, the present Application for bail be granted.

5. Mr. Ashok S. Gawai learned APP submits that the FIR indicates job scam where in various victims have been lured to part with money promising job. Relying on FIR he states that this is a systematic job scam. Participation of the Applicant in the crime alleged is evident from the complaint. On instructions from the Investigating Officer, he states that though notice under section 35(3) of BNSS, 2023 was issued to the Applicant, the Applicant refused to accept the same. He states that accused is absconding. He further states that investigation is paralyzed in view of the non-cooperation of the Applicant in the investigation.

6. In response to the contentions of the learned APP, Mr. Asif Shaikh learned Advocate for the Applicant states that Mr. Siddharth Gaikwad was initially shown as an accused in the accused column of the FIR No. 72 of 2025, however his name was dropped from the FIR upon said accused returning the amount. Learned APP disputes the said contention and points out at page 24 i.e. the accused column in the FIR. He states the name of Mr. Siddharth Gaikwad does not feature in the FIR and the said person was not named in the FIR.

7. I have given due consideration to the arguments advanced by the learned Advocates and gone through the records placed before me with

the able assistance of the learned Advocates.

8. Allegations as made in the Crime are serious in nature. Perusal of the FIR indicates modus operandi adopted by the persons accused in the Crime luring victim by promising job in public employment. FIR indicates victims being induced to part with their hard earned money on promise of public employment. Investigation as stated by the learned APP is at a preliminary stage. Looking at the nature of the offence, gravity of the allegations, read with the involvement of the Applicant in the said crime, custodial interrogation of the Applicant would further the cause of investigation. Investigation Officer deserves to be given a free hand to take the investigation to its logical end.

9. In view of the above and considering seriousness of the offence, no case is made out, as such Anticipatory Bail Application No. 1161 of 2025 is dismissed.

[ASHWIN D. BHOBE, J.]