



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

CRIMINAL APPLICATION (BA) NO.339 OF 2025

Charuhas s/o Jagdish Pofley

Vs.

State of Maharashtra, through Police Station, Saoner, Nagpur Rural

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

Court's or Judge's orders

Mr. G. D. Dani, Counsel for the applicant.

Mr. N. B. Jawade, APP for non-applicant / State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 03/04/2025

1. The present application is preferred by the applicant for grant of bail in connection with Crime No.934/2024 registered with Police Station, Saoner District Nagpur for the offence punishable under Section 406, 413, 420 read with Section 34 of the Indian Penal Code.

2. The applicant is arraigned an accused as the report is filed against him on an allegation that the complainant is running a hardware shop and was desirous of opening a small petrol pump. The applicant approached to him and promised him that he would help him to start a petrol pump and accepted the amount of Rs.15,41,500/-, however, he has not performed his promise and the complainant was duped by the present applicant.

3. Heard learned Counsel for the applicant, who submitted that at the most the transaction between the applicant and the complainant can be termed as a civil transaction. Now the investigation is practically completed, as far as the further incarceration of the present applicant is concerned, which is not required. The offence alleged is not punishable with imprisonment more than seven years. As far as the application under Section 413 is concerned, which is doubtful. At this stage, considering the investigation is practically completed, further custodial interrogation of the present applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The applicant **Charuhas s/o Jagdish Pofley** shall be released on bail in connection with Crime No.934/2024 registered with Police Station Saoner, District Nagpur for the offence punishable under Sections 406, 413 and 420 read with Section 34 of the Indian Penal Code, on executing PR Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

(iv) The applicant shall attend the concerned Police Station as and when required for the investigation purpose, till filing of the charge-sheet.

(v) The applicant shall attend the proceeding before the trial Court without seeking any exemption unless there are exceptional circumstances.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)