



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

CRIMINAL APPLICATION (ABA) NO. 195 OF 2025

Hafiz Khan Bhure Khan Pathan and another Vs 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. H.V. Dhage, counsel for applicants.

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

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 08/04/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.368/2024 registered with Police Station Janephall, District Buldhana, for the offence punishable under Sections 419, 420 and 471 read with Section 34 of the Indian Penal Code, 1860.

2. Heard learned counsel for the applicants, who submitted that the crime is registered on the basis of a report lodged by Aashish Prabhakar Mandavgade, alleging that on the pretext of offering a job, the present applicants and the other co-accused obtained the amount of Rs.4,80,000/- from two nephews of the informant. In all total amount of Rs. 9,60,000/- were duped by the present applicants. The present applicants and the other co-accused also represented themselves as the Government Officials and issued the joining letter and training letter, which are forged one.

3. The learned counsel for the applicants submitted that as far as the allegations are concerned, which is a baseless one. The custodial interrogation of the present applicants is not required. He submitted that there is absolutely no material connected during the investigation to show that the present applicants is the person who has promised for the job and obtained the amount. In view of that, the ad-interim protection granted to the present applicants deserves to be confirmed.

4. The learned APP strongly opposed the said application and submitted that the online transaction between the present applicants and the informant itself is sufficient to show the involvement of the present applicants in the alleged offence. The statements of the witnesses also show the involvement of the present applicants. The documents, which are collected during the investigation, show that the stamp and seal of the Military Engineering Services is obtained, and by promising to give a job, the amount is obtained. Considering the gravity of the offence, the application deserves to be rejected.

5. On hearing both sides and on going through the investigation papers, the involvement of the present applicants was revealed in the alleged incident. They have not only promised for giving a job, and they have issued the joining letter and training letter, which are

forged one. The custodial interrogation of the present applicants is required to ascertain in what manner they have committed the said offence.

6. In view of the above facts and circumstances, the prima-facie case is made out, and the application deserves to be rejected. Accordingly, I proceed to pass the following order:

The criminal application is **rejected**.

[URMILA JOSHI-PHALKE, J.]