



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

CRIMINAL APPLICATION (BA) NO.352 OF 2025

(Ambadas s/o Janardhan Kamble 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. I. Haque, Advocate for the applicant.
Mr. M.K. Pathan, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- APRIL 8, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 18/08/2023 in connection with Crime No.01/2023 registered with Police Station Wardha City, District Wardha for the offences punishable under Sections 419 and 420 of the Indian Penal Code and Section 66(d) of the Information Technology Act, 2000.

2. The crime is registered against the present applicant on the basis of report lodged by Chitrika Subhdarshani Sudhanshu Panigrahi alleging that she received a phone call from the present accused and he introduced himself as an employee of Fidex company. He also informed that one parcel is received in the name of the complainant from the Mumbai Andheri Branch on 02/06/2023 containing cloths, passports, credit cards and 140 grams MDMA drug. The accused informed on the pretext of the above parcel and compelled her to make online payment of Rs.2,47,776/- and she was duped by

obtaining the said amount. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that the account of the present applicant is misused by some persons, and therefore, the applicant is implicated as an accused in the present crime. Now, investigation is already completed, charge-sheet is filed. Merely because there are criminal antecedents, the applicant cannot be detained. In view of that he be released on bail.

4. Learned APP strongly opposed the application and submitted that the account statements specifically shows the role of the present applicant. The amount was transferred in the account of the present applicant and the investigation papers shows the involvement of the present applicant to the extent that it was the present applicant who made a phone call to the complainant and obtained money from her and she was duped. The similar type of the offences are registered against the present applicant vide Crime Nos.335/2023 and 773/2023. If he is released on bail there is every possibility of indulging himself in similar type of the activities. In view of that, the application deserves to be rejected.

5. I have heard learned Counsel for both the sides. Perused the investigation papers. As far as the involvement is concerned the investigation papers shows

the specific role attributed to the present applicant and the investigation papers sufficiently shows the role attributed to the present applicant that he made a phone call and obtained the money from the complainant. The offence alleged against the present applicant is under Section 419 and 420 of the IPC for which the punishment upto 7 years is provided. Moreover, the investigation is completed and charge-sheet is filed. Merely because there are criminal antecedents, the applicant cannot be kept behind bar. However some conditions require to be imposed on the present applicant. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant – Ambadas s/o Janardhan Kamble in connection with Crime No.01/2023 registered with Police Station Wardha City, District Wardha for the offences punishable under Sections 419 and 420 of the Indian Penal Code and Section 66(d) of the Information Technology Act, 2000, be released on bail on executing PR. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned police station twice in a month i.e. 1st and 15th day of every month, till

culmination of the trial.

(iv) The applicant shall not indulge himself in similar type of the activities and single incident reported would lead to the cancellation of bail.

(v) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

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

(vii) The applicant shall furnish his Cell phone number, address with address proof and the names of his two relatives with their address proof, before the investigating agency.

(viii) The applicant shall surrender his passport if he is having, before the trial Court.

6. The contravention of any of the condition would lead to the cancellation of bail.

7. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)