



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

CRIMINAL APPLICATION (BA) NO. 451 OF 2025

Sandip Dilip Kadam

Vs.

State of Maharashtra, through Police Station Officer, Andhera

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

Court's or Judge's orders

Mr. H. V. Dhage, Counsel for the applicant.

Mr. Ganesh Umale, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 01/07/2025

1. The applicant came to be arrested on 01.04.2024 in connection with Crime No.49/2024 registered with Police Station Andhera for the offence punishable under Sections 395, 120-B of the Indian Penal Code.

2. The crime is registered on the basis of report lodged by Rameshwar Shivprasad Shrimali on an allegation that on 14.02.2024 at 8.30 a.m., he was travelling from Jalna in Bolero vehicle bearing registration No.MH-21-BV-7167 and visited Bhokardan, Malkheda and other villages. They collected huge amount in packets from the dealers as instructed by his owner. Thereafter they were intercepted by 4 to 5 persons and the amount was looted from them. On the basis of the said report,

police have registered the crime against the present applicant.

3. Heard learned Counsel for the applicant, who submitted that nothing is recovered from the present applicant and his involvement is not revealed during the investigation. Now the investigation is already completed and charge-sheet is filed and further incarceration of the present applicant is not required. In view of that, he prays for releasing the applicant on bail.

4. Learned APP strongly opposed the said application and submitted that the criminal antecedents are not mentioned by the applicant in his application. There are four similar types of the offences registered against the present applicant. He further submitted that the involvement of the present applicant reveals from the various statements of the witnesses. There are telephonic communication between the present applicant and the other co-accused. The CDR report sufficiently shows the involvement of the present applicant in the alleged offence. Considering the *prima facie* material, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that the co-accused were arrested and during interrogation with them, the name of the present applicant

revealed. It further reveals that there was a call recording in the mobile phone of the co-accused and therefore, specimen voice samples were also obtained. There are four offences registered against the present applicant of the similar nature. Thus, the involvement of the present applicant appears from the various statements of the witnesses. Pertinently, the applicant has not disclosed about his criminal antecedents in the application, which is a concealment of the fact. From the investigation papers, it reveals that the applicant is a habitual offender and similar types of the offences are registered against him, on that ground itself the application of the present applicant deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

The application is rejected.

(URMILA JOSHI-PHALKE, J.)