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

CRIMINAL APPLICATION (ABA) NO.405 OF 2025

Rutuja Nitin Khachane
Vs.
State of Maharashtra, through Cyber Police Station Buldhana, District Buldhana

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

Mr. S. S. Chopde, Counsel for the applicant.
Mr. Anant Ghogre, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/06/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.37/2024 registered with Cyber Police Station, Buldhana, District Buldhana for the offence punishable under Sections 415, 419, 420 of the Indian Penal Code and under Section 66(C) and 66(D) of the Information Technology Act, the applicant approached this Court for grant of pre-arrest bail.

2. As per the allegation levelled in the first information report one Ajay Nagrav Inge who is managing financial affairs of Pravin Agrawal, the Proprietor of Krushna Traders, located on Chikhali Road, Buldhana, lodged a report alleging that on 02.05.2024, he was added to a new WhatsApp group called ‘Partner Group VIP 1’ by unknown number.

Later he was asked to download the link that was sent to him. It was further alleged that he downloaded the application and he was assured 500% profit on his investment. Initially, he was asked to deposit Rs.10,00,000/-. However, he deposited Rs.3,00,000/-. Subsequently also several deposits he has deposited and the amount comes to Rs.1,75,00,000/-. However, he has not received any returns, and therefore, he approached to the Police Station.

3. Heard learned Counsel for the applicant, who submitted that as far as the custodial interrogation is concerned, which is not required. The applicant is ready to cooperate with the investigating agency. In view of that, she be released on anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that the informant has lost a huge amount of Rs.1,75,00,000/-. The informant was lured by sending a link. It is Cyber fraud. The investigation is in progress. The Investigating Officer is investigating how many investors have invested the amount and the stake of the said investment. At this stage, considering the recitals of the FIR and the account statement of the present applicant, who has received the said amount in her account. Thus, her involvement in the alleged offence reveals and prays for rejection of the application.

5. On hearing both the sides and on perusal of the investigation papers, the allegations are substantiated by the documentary evidence i.e. the account statement of the present applicant, who has received the amount. Thus, the involvement of the present applicant reveals from the investigation papers. Considering the nature of the investigation shows that the investors was lured by sending a link and by promising higher returns, no returns were paid and the amount was grabbed. In view of that the application deserves to be rejected as custodial interrogation of the applicant is required. Accordingly, I proceed to pass following order:

ORDER

The application is rejected.

(URMILA JOSHI-PHALKE, J.)

Sarkate