



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

CRIMINAL APPLICATION (ABA) NO. 724/2025

Ravindra s/o. Bhagwan Gujar Vs. The State of Maharashtra

WITH

CRIMINAL APPLICATION (ABA) NO. 705/2025

Dr. Gopal s/o. Manoharrao Nare Vs. The State of Maharashtra

WITH

CRIMINAL APPLICATION (ABA) NO. 721/2025

Pradip s/o. Ramdas Bedarkar Vs. The State of Maharashtra

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

Court's or Judge's orders

Mr. K. J. Topale, Advocate for the Applicant.

Mr. V. A. Thakare, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 10/12/2025.

. Heard.

2. The applicants have apprehension of arrest in Crime No.335/2025 registered with Police Station Anjangaon, District Amravati for the offences punishable under Sections 417, 420 read with Section 34 of the Indian Penal Code.

3. It is the case of the prosecution that in the year 2021, the applicants along with co-accused induced the complainant of securing a government job for his son in Railway and thereby obtained Rs.8,50,000/- by way of cash and Bank transferred. Out of this, Rs.5,00,000/- was transferred through RTGS in the account of co-accused Gopal Nare's (applicant in ABA No.705/2025). Gopal Nare has given two cheques in the form of security. It is further alleged that the applicant (in ABA No.724/2025) had repaid certain amount. The cheque which was issued as security by co-accused Gopal Nare, got dishonoured as the account was closed. It is submitted that the present

applicant (in ABA No.724/2025) received Rs.3,50,000/- cash from the complainant. Thereafter, the complainant realized that he was cheated by the present applicant (in ABA No.724/2025) along with other co-accused persons. Thereafter, he has filed the complaint.

4. The learned Counsel for the applicants has stated that, there was property dealing business between the complainant and the applicants. Some of the amount was transferred. The allegations made against these applicants are not correct. The applicants have relied on the judgment of the Hon'ble Apex Court in the case of *Dilip Singh Vs. State of Madhya Pradesh and Anr.* [(2021) 2 SCC 779] in support of his argument that the custody cannot be granted for recovery of the amount. He has stated that it was property dealing business and, therefore, the amount was taken in account and there was no cash transaction. Some of the amount is returned and as the cheques were bounced, he has filed this complaint.

5. Learned A.P.P. opposed the applications stating that the applicants have given the assurance of job. All the three persons are doing this work jointly and some of the persons are duped. They have given the assurance of job and taken the amount and not returned said amount. This is not a recovery proceeding. The applicants have cheated the unemployed persons and have taken a huge amount. Hence, custody of these applicants is necessary.

6. Heard the learned Counsel for the applicants and the learned A.P.P. for the State.

7. The allegations are made that the amount was given as the applicants have given the assurance that they

would provide the job in Railway. The appointment order of others were shown on mobile and, thereafter, the complainant has transferred the amount in the account of all the three persons i.e. applicants. The three persons jointly returned some of the amount and some of the amount is not returned. Though the learned Counsel for the applicants has stated that for recovery of amount custodial interrogation is not necessary, however, the allegations are about giving false assurance of providing job in Railway Department.

8. Considering the allegations made against these applicants, the custodial interrogation is necessary. Hence, the applications are rejected.

(MRS. VRUSHALI V. JOSHI, J.)