



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

CRIMINAL APPLICATION (ABA) NO.869/2025

(Kapil S/o Waman Damhare Vs. State of Maharashtra, through P.S.O. Umred, Nagpur, District Nagpur)

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

Court's or Judge's orders

Mr. M.V. Rai, Advocate for the applicant.
Mr. V.A. Thakare, A.P.P. for the non-applicant/State.
Mr. Amol G. Hunge, Advocate for the complainant.

CORAM: MRS.VRUSHALI V. JOSHI, J.

DATED: 16.12.2025.

The applicant has apprehension of arrest in Crime No.588/2025 registered with Police Station Umred, District Nagpur for the offences punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code.

2. The applicant along with the other co-accused duped the complainant namely Manohar Jayramji Bhusari by giving assurance that he will give job in W.C.L. as he is having certificate of Project Affected Persons and no one from his family is willing for the job at W.C.L. as they are already having job in M.S.E.B. and MAHAGENCO.

3. The learned Advocate for the applicant has stated that the complainant was introduced through Kalyani Jaipurkar. The crime is also registered against her. The amount was transferred in her account. She was protected by granting anticipatory bail by the Sessions Court. The applicant is the son of Waman Damhare. He has not played any role. As the other co-accused namely Kalyani Jaipurkar is already protected, he prayed to protect the applicant by granting anticipatory bail.

4. The learned Advocate for the applicant has stated that there is no role attributed to this applicant and all the allegations are made against father of the applicant. Some of the amount is transferred in his account.

5. Learned A.P.P. opposed the application stating that four crimes are registered against the family members of the applicant. Role of this applicant is there in those crimes also. In other matters, some of the amount was transferred in his account. He was aware about it. The statement of the witnesses shows that the applicant and his family members duped gullible persons by giving assurance of job.

6. The learned Advocate for the complainant has stated that the *modus operandi* of the applicant and his family members to dupe the needy persons is same. By giving assurance of job they have taken huge amount and thereafter they stopped receiving phone calls from said persons and the crimes are registered. He has pointed out that there is one more F.I.R. against this applicant and the similar allegations are made. Huge amount was taken by the family members of the applicant. Considering the nature of the offence, custodial interrogation of this applicant is necessary. Hence, prayed to reject the application.

7. Learned Advocate for the applicant has pointed out that in said matter, the applicant is protected as the matter is settled between the parties and the transaction was mentioned as hand-loan. The custody of this applicant is not necessary. Hence, prayed to release the applicant on anticipatory bail.

8. Heard the learned Advocates for the parties and perused the record.

9. It appears from the record that this is not the only offence which is registered against this applicant. The entire family is involved in this type of offences. Though the role of this applicant is that his account is used to transfer the amount, father of the applicant is the main accused and the entire family is involved in the crime by assuring that they have certificate of project affected persons and they can give job to two persons and four F.I.Rs. are registered against the family members of the applicant. Considering the allegations made and the *modus operandi* of cheating the gullible persons and collecting the amount from them, custodial interrogation of this applicant is necessary. Hence, application is rejected.

(MRS.VRUSHALI V.JOSHI, J.)