2026:BHC-AUG:19405

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 396 OF 2026

Pawan Dwarkadas Bhutada
VERSUS
The State Of Maharashtra And Another
...

- Mr. S. S. Gangakhedkar, Advocate a/w. Mr. S. R. Mantri for Applicant
- Mr. S. A. Gaikwad, APP for Respondents - State

...

CORAM : MEHROZ K. PATHAN, J.

DATED : 28.04.2026

PER COURT :

1. Heard learned counsel for the applicant and learned APP for the respondent – State.

2. The applicant has approached this Court apprehending arrest in connection with FIR No. 09 of 2026 dated 14.01.2026, registered with Hadgaon Police Station, District Nanded, for the offences punishable under Sections 318(4), 336(2), 337, 336(3), 340(2), 316(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the informant, an unemployed graduate, alleges that in the year 2020, accused No. 1 – Gajanan assured him of securing a job in lieu of payment of Rs. 30,00,000/-. It is further alleged that the informant paid an amount of Rs. 1,90,000/- to co-accused Chaganlal by way of UPI transactions and paid the remaining amount in cash to the accused persons by the year 2021. It is further alleged that the appointment orders issued by the accused persons were found to be forged and fabricated, and as such, the informant failed to secure employment. It is also alleged that similarly situated unemployed youths paid different amounts to the accused persons on the assurance of employment; however, none of them secured jobs. Despite repeated demands, the accused persons failed to return the amounts, and thus, the informant has alleged cheating and forgery against them.

4. Insofar as the present applicant is concerned, he is the son-in-law of co-accused Chaganlal Agrawal, to whom the informant paid an amount of Rs. 1,90,000/- through UPI transactions. The applicant is alleged to have received amounts from various candidates and deposited the same with his father-in-law, i.e., Chaganlal Agrawal.

5. Learned counsel for the applicant submits that the applicant is falsely implicated in the present crime merely on account of his relationship as son-in-law of the main accused. It is submitted that co-accused Gajanan Lamthure is already arrested and in custody, and accused No. 4 – Ujjwala, against whom there are direct allegations of inducement and collection of huge amounts on the pretext of providing government employment, has expired. It is further submitted that the applicant acted only as a mediator between the informant and other job aspirants and the accused persons for return of money, along with co-accused Mirza Khalil. The said Mirza Khalil has already been granted anticipatory bail by the learned Sessions Court vide order dated 20.02.2026, observing that he had acted as a mediator at the request of the informant and other job aspirants who were allegedly cheated.

6. It is further submitted that the applicant has one criminal antecedent, i.e., FIR No. 143 of 2024 registered at Tamsa Police Station, District Nanded, for similar allegations of cheating and criminal breach of trust, wherein he was arrested and subsequently released on bail. It is submitted that the informant in the said crime is a witness in the present case. It is further submitted that initially the police did not register the FIR on the complaint of the present informant, and therefore, the informant approached the Superintendent of Police. As no action was taken, the informant filed an application under Section 156(3) of the Code of Criminal Procedure, pursuant to which the present FIR came to be registered. It is submitted that except for the aforesaid case, the applicant has no other criminal antecedents and is not a habitual offender. The applicant is ready to abide by any conditions that may be imposed by this Court. Hence, it is prayed that the applicant be protected.

7. Per contra, learned APP strongly opposes the application on the ground that the applicant is directly involved in a large-scale scam wherein innocent job aspirants were induced by the accused persons, including the present applicant. It is submitted that the applicant is specifically named in the FIR and to have played an active role in inducing the informant and other similarly placed persons by promising government jobs. It is further submitted that the applicant had accompanied the informant to Mumbai for alleged medical examinations and other formalities. The supplementary statement of the informant dated 12.03.2026, recorded after registration of the FIR, clearly brings out the role of the applicant. The statement of witness Satish Shinde also indicates that the applicant actively participated in inducing the informant and others and collected substantial amounts.

8. It is further submitted that the main accused Chaganlal Agrawal is the father-in-law of the applicant, and the applicant was managing the money collected from job aspirants. The total fraud is alleged to be to the tune of Rs. 3,00,00,000/-. It is further submitted that the applicant is a signatory as a witness to an agreement entered into between co-accused Ujjwala Vatharkar and mediator Mirza Khalil Baig, which shows his involvement. The investigation reveals that the amounts were routed through the applicant to other accused persons. It is further alleged that the applicant assured the informant regarding issuance of forged appointment emails and orders.

Considering the magnitude of the offence, custodial interrogation of the applicant is necessary. Hence, the application deserves to be rejected.

9. I have carefully gone through the investigation papers made available by the learned APP. Upon perusal, it appears that the FIR came to be registered pursuant to directions issued under Section 156(3) of the Code of Criminal Procedure. The applicant was earlier arrested in Crime No. 143 of 2024 registered at Tamsa Police Station, District Nanded, and was released on bail. Except for the said offence, no other criminal antecedents are reported against the applicant.

10. It appears that there are no specific allegations of direct inducement in the FIR against the present applicant. However, the supplementary statement recorded on 12.03.2026, i.e., after a considerable period from the date of registration of the FIR, attributes a more prominent role to the applicant. The contention of the learned counsel for the applicant that the applicant is roped in with an intention to facilitate recovery of the amount allegedly received by his father-in-law cannot be ruled out at this stage. However, these observations are prima facie in nature and are made only for the purpose of deciding the present application, and shall not influence the trial.

11. Taking into consideration the nature of allegations in the FIR vis-à-vis the comparatively enlarged role attributed in the subsequent statement, the fact that the applicant has already been released on bail in the earlier crime, and that he is willing to abide by stringent conditions, I am inclined to grant protection to the applicant. Hence, the following order :-

<u>O R D E R</u>

i. The Anticipatory Bail Application is allowed.

ii. In the event of arrest of the applicant – Pawan Dwarkadas Bhutada, he shall be released on bail on furnishing P.R. bond of Rs. 50,000/- (Rupees Fifty Thousand) with one or two solvent sureties in the like amount, in connection with FIR No. 09 of 2026 registered with Hadgaon Police Station, District Nanded, for the offences punishable under Sections 318(4), 336(2), 337, 336(3), 340(2), 316(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

A) The applicant shall attend the concerned police station and report to the Investigating Officer as and when called and, in any case, every Saturday between 12:00 noon and 02:00 p.m. till framing of charge by the learned Trial Court.

B) The Applicant shall also cooperate with the investigation.

C) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

D) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.

12. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the anticipatory bail granted hereinabove.

13. The observations made herein are prima facie and shall not influence the Trial Court while deciding the case on its own merits.

14. In view of the above, the Anticipatory Bail Application stands disposed of.

(MEHROZ K. PATHAN, J.)