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

**CRIMINAL APPLICATION [ABA] NO. 998 OF 2025**

*SUBODH RATANSINGH PATIL*

***VERSUS***

*STATE OF MAH., THRU. P.S.O., P.S., KHADAN, AKOLA*

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| Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's order | Court's or Judge's Order |
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Mr. Y. P. Bhelande, Advocate for the applicant.
Mr. N. S. Autkar, A.P.P. for the non-applicant/State
Ms. Naina Dhoke, Advocate h/f Mr. Mahesh Rai, Advocate for assist to prosecution.

**CORAM : M. W. CHANDWANI, J.**
**DATE : JANUARY 30, 2026.**

1. Heard Mr. Y. P. Bhelande, learned counsel appearing for the applicant, Mr. Nitin Autkar, learned A.P.P. appearing on behalf of the State and Ms. Naina Dhoke, learned counsel assisting the prosecution.

2. The applicant is apprehending his arrest in connection with Crime No. 698/2025 registered with Police Station, Khadan, Akola for the offences punishable under Sections 3(5), 318(2), 318(4), 319(2), 336(2), 336(3), 337, 340(2), 341(1) and 342(1) of the Bharatiya Nyaya Sanhita, 2023.

3. The learned counsel appearing on behalf of the applicant submitted that the applicant has no concern with the crime and he is falsely implicated in the same. The only role assigned to the applicant is that he was present in a meeting with the brother-in-law and the son

of the complainant at ITC Maratha Hotel, Airport Road, Mumbai. According to the learned counsel, no amount is paid to the applicant. Therefore, nothing is required to be recovered from him. No fruitful purpose would be served by conducting a custodial interrogation of the applicant. The alleged agreement of providing job to the son of the complainant itself is illegal. According to the learned counsel, the applicant deserves extraordinary protection in the form of anticipatory bail.

4. Learned APP appearing on behalf of the State opposed the application on the ground that the applicant is the person who gave the assurance of providing the job. He took money from the complainant as well as from other victims on the pretext of providing jobs. He issued cheques towards return of amount received by him, which got dishonored. According to him, it is a big scam wherein, the applicant and other co-accused cheated the complainant as well as other victims. He submitted that the investigation is at an initial stage and custodial interrogation of the applicant is necessary to unearth the crime.

5. Perusal of the case diary reveals that the complainant is a retired Teacher, who has an unemployed son possessing B.Sc. Degree. The complainant has stated in the FIR that he knows Sunil Jadhav (co-accused) and his wife Rajani because Sunil Jadhav was also a Teacher

and they worked together in the same school. Knowing about the educational qualifications of the son of the complainant, co-accused Sunil Jadhav called the complainant and his son at his house along with his original educational documents. Sunil Jadhav told the complainant that he has some connection with the other co-accused who can provide job to the son of the complainant. Accordingly, co-accused Sunil Jadhav took the complainant at ITC Maratha Hotel, Airport Road, Mumbai and introduced him to co-accused Nilesh Rathod, Subodh Patil (applicant) and Lahuji Patil, who were present there.

6. Sunil Jadhav and other co-accused including the applicant assured the complainant that they will provide job to his son. They asked the complainant to call his son at Mumbai along with his original educational documents. After completion of some formalities as demanded by the accused persons, the complainant paid Rs.15,00,000/- to accused Sunil Jadhav in cash between 28th and 30th July, 2024 for providing job to his son in the Agriculture Department. Thereafter, again the complainant paid Rs. 8,00,000/- in cash to accused Sunil Jadhav and Rs.2,00,000/- through NEFT to the account of other co-accused Rahul Mahalle.

7. The complainant was assured by co-accused Nilesh Rathod that his son will have to reach Belapur, Mumbai to

join the duty and demanded the balance amount. Therefore, the complainant again transferred Rs.2,00,000/- through NEFT to the bank account of co-accused Rahul Mahalle. Thereafter, on 27.08.2024, the son of the complainant met with co-accused Nilesh Rathod. At that time, he told that due to non-payment of balance amount of Rs.6,00,000/-, the work is not done and asked him to immediately pay the amount to Sunil Jadhav. Therefore, the complainant paid Rs.6,00,000/- in cash to Sunil Jadhav. Thereafter, the accused persons by conspiring with each other gave a forged appointment letter to the son of the complainant. At that juncture, the complainant felt that he has been cheated by the accused persons and insisted for return of the amount. Thereafter, the co-accused repaid the amount of Rs.4,00,000/- to the complainant. However, the cheques given towards repayment of the remaining amount got dishonoured. Accordingly, the aforesaid offence came to be registered against the applicant and the other co-accused.

8. Perusal of the case diary further reveals that the present applicant along with other co-accused also cheated Padmakar Khade, Amol Gaike and Avinash Giri by giving forged order of appointment in the Education and Sports Department. On assurance of obtaining order from the Court, they took Rs.5,00,000/- from each one of them.

9. Thus, there is a *prima facie* case against the

applicant showing his involvement in the offence. It is the case of the complainant that not only his son but other persons are also cheated on account of providing jobs. The same *modus operendi* has been used by the applicant as well as the other co-accused.

10. The investigation is at a primary stage. Vital details are required to be collected in order to unearth the crime, which can be done only by effective interrogation of the applicant in custody. Therefore, custodial interrogation of the applicant is required to make progress in the investigation. The facts in the FIR indicate that the complainant is the victim and therefore, he has locus to file the complainant.

11. Considering the nature of allegations against the present applicant and his *prima facie* involvement in the crime, more particularly, the fact that the applicant has tried to defraud other persons by adopting the same *modus operendi*; in my view, custodial interrogation of the applicant may help the investigating authority to connect the dots. Therefore, the applicant does not deserve extraordinary relief of anticipatory bail considering the fact that his custodial interrogation may reveal many aspects and different angles of the crime. Therefore, the application is rejected.

**( M.W.Chandwani, J. )**