

RCC No. 731/2023

**ORDER ON BAIL APPLICATION FILED AT EXH. 55 IN CR NO.487/2023,
CHAKAN P.S. BY ACCUSED SOMNATH BABAN THOMBARE**

1] This is an application filed by accused Somnath Baban Thombare for releasing him on bail in connection with Crime No.487/2023 for the offences punishable under Sections 420, 406, 465, 467, 471 r/w 34 of IPC, registered with Chakan Police Station.

2] Perused the application. Heard Ld. Counsel for applicant/accused and Ld. APP for State at length. I have carefully gone through the documents relied upon by applicant/accused.

3] According to the application of present accused, he is permanent resident of village Baur, Tal. Maval Dist Pune. He is acquainted with accused Vishal Raut and they had established company by name Rolling Forward Estate Company Pvt. Ltd. and accused and his wife was a director in said company. The account of the said company was operated by accused vishal Raut. The wife of accused namely Komal Thombare is on anticipatory bail. The present accused is not involved in the said offence. The accused is only one of the directors of the said company and was not actively involved in daily affairs of the company. Accused Vishal Raut was operating the bank accounts of the said company and has misused the same. The accused is falsely implicated in the present crime. Alleged money is not received the accused. The Investigation of the present crime has been completed. The accused is a direct person and his having family. The applicant/accused has not committed alleged offences. There are no criminal antecedent against present applicant/accused. The applicant/accused is ready and willing to abide by the terms and conditions imposed upon him. Hence, the accused has prayed that he may be released on bail.

4] Learned APP and I.O. have strongly opposed the application of accused. He submitted that offence is serious in nature and accused has cheated the informant huge amount of money amounting to Rs. 65 Lacs. The applicant/accused is direct beneficiary in the alleged crime. The accused has transferred the amount in the bank account of co-accused Sadhana Raut and Vishal Raut. The applicant/accused has systematically cheated the informant along with co-accused. The prima-facie involvement of the accused is seen in the crime. If accused is released on bail, he will tamper the prosecution evidence and witnesses. Hence, he prayed for the rejection of application.

5] According to the allegations in the present case, accused Somnath Thombare who happens to be the Director of Rolling Forward Estate Pvt. Ltd. Company is actively involved in cheating the complainant and is also the beneficiary the present crime as the amount involved in cheating has been transferred in the bank account of the said company of which present accused is a director by one of the co-accused namely Vishal Raut. It is therefore alleged that present accused was also involved in cheating the complainant along with other co-accused and has received the amount involving in the cheating as the same was transferred in the bank account of the said company.

6] So far as particularly the present applicant is concerned, the investigation papers and other materials collected during the course of investigation indicate that present applicant appears to be the director of the Rolling Forward Estate Company. The material collected in the form of account statements by the Investigation Officer during the investigation of the present crime show that from time to time amounts have been transferred in the bank account of Rolling Forward Estate Company of which present applicant/accused is the director. The account statement and other document annexed in the charge sheet prima facie show that huge amount of money has been transferred

in the bank account of the said company by accused Vishal Raut. The material collected during the course of investigation prima facie demonstrates that present applicant/accused has also played a major role along with accused namely Vishal Raut who was actively involved in cheating and duping the complainant with regard to transaction regarding sale an ancestral property. It appears that present applicant along with main accused Vishal Raut created a bogus company in the name of Rolling Forward Estate Company with intent to transfer the amount involved in the cheating. The acts alleged on the part of present applicant show that he had executed the alleged cheating along with other co-accused persons. The material on record indicates that present applicant is also one of the major beneficiary of the proceed of crime. There is substantial material placed in the charge-sheet to show involvement of the present applicant in the alleged crime.

7] The present applicant/accused appears to have actively participated in the commission of the alleged crime. There is strong prima-facie material placed on record in the charge-sheet to show involvement of the present accused in the alleged fraud. It appears that main accused Vishal Raut involved in the crime is still absconding. The possibility of absconding by applicant/accused cannot be ruled out in the facts and circumstances of the case. Considering the nature and gravity of the offence and the role attributed to the present applicant/accused it will not be judicious to release him on bail. Hence, I proceed to pass following order;

ORDER

The bail application of accused is hereby rejected.

Sd/-x

Khed
Date – 01.04.2025

(S.B.Pawar)
Jt. J.M.F.C Court No.1, Khed

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same, word to word, as per the original Order.

Name of Stenographer : Ashok R. Soje
Court : J.M.F.C. Khed-Rajgurunagar
Date : 01.04.2025
Order signed by the Presiding Officer on : 01.04.2025
Order uploaded on : 01.04.2025

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