2026:BHC-NAG:6089

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

CRIMINAL BAIL APPLICATION (ABA) NO. 228 OF 2026

(Sunil s/o Dharma Jadhav Vs. State, thr PSO, PS Khadan, Akola, Dist. Akola)

Office Notes, Office Memoramda of Coram, appearances, Court's orders of directions and Registrar's Orders.	*Court's or Judge's orders.*

Mr. S.K. Thengri, Advocate for applicant.
Mr. C.A. Lokhande, APP for non-applicant /State.
Ms. Kajal Bhagat, Adv h/f Mr. Mahesh Rai, Advocate to assist the prosecution.

CORAM: RAJNISH R. VYAS, J.
DATE: 18.04.2026

Heard.

2. Apprehending arrest, the original accused no. 1 has approached this Court for anticipatory bail in connection with Crime No. 698/2025, registered with Police Station, Khadan, Akola, Dist. Akola, for offences punishable under Sections 342(1), 341(1), 340(2), 337, 336(3), 336(2), 319(2), 318(4), 318(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, on 30.8.2025.

3. The First Information Report ("FIR") was lodged at the instance of complainant baned Dinkar Motiram Ghaywat alleging that under garb of providing employment through the Maharashtra Public Service Commission ("MPSC"), the accused persons including the applicant have taken Rs. 33 lakhs from the applicant. It was further alleged that several other persons were also cheated, on the same ground, and amount of Rs. 20 lakhs was taken from them.

4. The learned counsel for the applicant has submitted that the allegations made against the applicant are false and the dispute has been given different colour. He submitted that applicant along with his wife who is co-accused have filed Regular Civil Suit No. 200/2025 against the informant in the Court of Civil Judge Senior Division, Akola on 9.4.2025 and had prayed for declaration that the sale deed executed in favour of the informant by the applicant is null and void. Other prayers regarding injunction from create third party interest, was also made. He further contended that even the informant has filed a counter claim for permanent and mandatory injunction on 6.1.2026. According to the learned counsel for the applicant, since case is based upon documentary evidence, his custodial interrogation is not required.

5. Per contra, the learned APP and the learned counsel for the complainant have contended that the applicant is the mastermind who has introduced the present applicant to other accused and all of them duped the applicant and his son. He also stated that the Co-ordinate Bench of this Court has rejected Criminal Application (ABA) 998/2025, preferred by on Subodh Patil, in which it is categorically observed that an amount of Rs. 15 lakhs was paid to the applicant in cash between 28th February to 30th July, 2024. Further, an amount of Rs. 8 lakhs in cash was also paid to him. They thus submitted that investigation qua the present applicant is still not carried out effectively and therefore, the application be rejected.

6. An additional submission was made relying upon

paragraph 6 of the affidavit in reply dated 8.4.2026 filed by non-applicant that during the investigation, it revealed that applicant was involved in two similar type of cases. According to the learned APP, the applicant and other accused are absconding from the date of registration of the FIR i.e. 30.8.2025.

7. I have given thoughtful consideration to the arguments advanced by the learned counsel for respective parties. The FIR is lodged against all the eight accused persons. It was alleged by the informant Dinkar that he and applicant had worked together for 10 years as a teacher in school and were having close friendship. Son of the applicant by name Sunil was holding qualification of B.Sc.. The other accused by name Subhash Rajput, Rahul Mahalle and Mahendrasing Rajput r/o Jalgaon were known to the applicant.

8. The son of the informant had passed B.Sc. B.Ed., MHCIT examinations and the mark sheet was seen by the present applicant. Informant was called by applicant and his wife at their house. On 21.6.2024, along with all educational documents, informant and his son visited the house of applicant. At that time, it was informed by the applicant to the informant that accused Nilesh, Subodh, Lahuji, Subhash, Rahul and Mahendrasingh provides employment through MPSC and had assured the informant and his son can be appointed on the said post.

9. On 24.7.2024, the applicant took the informant at ITC Maratha Hotel, Mumbai at which time, accused Nilesh, Subodh

and Lahuji who were present and introduced to the informant and his son. In the meeting, it was told to the informant that as the officers of the MPSC are very well known to the accused persons, the son of applicant can be appointed.

10. The informant was asked to call his son immediately to Mumbai who came on 25.7.2024 at the said hotel at Mumbai. All the original documents of the son of the informant were then taken by the applicant.

11. On 26.7.2024, the applicant asked to prepare demand draft of Rs. 1,000/- in favour of MPSC.

12. On 26.7.2024, the informant and his son came to Akola from Mumbai and then from village Patur, they secured demand draft and forwarded photo of the same on the WhatsApp mobile number of the applicant.

13. On 26.7.2024, at about 6.00 p.m., the applicant demanded the money from the informant telephonically.

14. From 28th to 30th July, 2024, the informant had given cash of Rs. 15 lakhs to the applicant at his house.

15. As asked by the applicant, the son of the informant and son-in-law went to ITC Maratha Hotel at Mumbai at which place, the form was filled by the son of the informant as per say of accused Nilesh, Subodh and Lahuji. The informant then asked to cancel the reservation made of his son for traveling on

30.7.2024 as it was stated that one time password would be sent by MPSC on 31.7.2024 and result would be declared.

16. When son of the informant and the son-in-law were at Mumbai, the applicant demanded Rs 8 lakhs which was given to him in cash. Likewise, amount of Rs. 2 lakhs was transferred in the bank account of accused Rahul Mahalle as per say of the applicant.

17. On 10.8.2024, the applicant and his wife telephoned the informant and told that for collecting joining letter, they will have to visit Mumbai on 13.8.2024. Accordingly, son of the informant with son-in-law went to ITC Maratha Hotel at Mumbai where accused Nilesh handed over the revaluation mark sheet issued by MPSC and told that joining would be done on 27.8.2024. There accused named Nilesh shown photograph of Ex-Chairman of MPSC with him.

18. On 27.8.2024, it was told by the applicant that the son of informant will have to go at Belapur, Mumbai for joining. The applicant then visited the house of informant and congratulated him in order to gain his confidence, so also, demanded the remaining amount.

19. The informant thereafter credited an amount of Rs. 2 lakhs through NEFT in accused Rahul Mahalle's account.

20. On 27.8.2024, the informant was asked to send his son to Mumbai so that the accused named Nilesh would take him

to the office of MPSC at Belapur.

21. Accordingly, on 27.8.2024, the son of informant along with son-in-law went to Mumbai and meet the accused Nilesh who told that since Rs. 6 lakhs were not paid, the work could not be completed. The informant was asked to deposit an amount of Rs. 6 lakhs with the applicant.

22. On 29.8.2024, an amount of Rs. 6 Lakhs was given by the informant in cash to the applicant at which time, the son of the informant and son-in-law were present at Bombay.

23. On 2.9.2024, it was told that in the office of Collector, Ahmadnagar, the appointment order would be brought either by the accused Lahuji or Subhash. On 2.9.2024, son of the informant along with son-in-law had been to Ahmadnagar and stayed their till 4.9.2024 but neither accused named Nilesh nor Lahuji nor Subhash met them.

24. The informant then, questioned the applicant who advanced the reason that incomplete fax was received at the office of Collector, Ahmadnagar and therefore, problem arose. The informant was called at the house of the applicant where the applicant and his wife assured that till 15^{th} to 16^{th} October work would be done. On 17.10.2024, as per direction given by the accused persons, son of informant as well as son-in-law for receiving the appointment order went near Mantralaya, Mumbai where accused named Nilesh handed over the forged order and immediately went away. When the son of informant and son-in-

law realized that it was the forged order, they immediately contacted the informant. The informant then again called the applicant and narrated the incident. At that time, the applicant assured to return the educational documents and the amount till 18.2.2025. Thereafter, accused named Mahendra transferred the amount of Rs. 1.50 lakhs by phonePe in the account of son-in-law of the informant and Rs. 2 lakhs by cheque to the informant. The amount of Rs. 50,000/- by the applicant was paid to the informant by PhonePe. The cheque given to the informant got dis-honoured.

25. It was then requested to the informant that the report be not lodged and it was assured that the applicant would transfer his house in favour of the informant. The house was then transferred in the name of informant on 20.2.2025 and it was agreed that after returning the amount taken, within 15 days the title would be re-transferred. According to FIR, after 15 days also, the amount was not returned but instead civil suit was filed. It was also alleged in the FIR that several other persons were cheated whose names and details were given in the FIR.

26. On perusal of the averment in the FIR which are produced supra would reveal that very systematically the informant and his son were cheated. It can not be ignored that several other persons were also cheated which shows that the applicant is running a racket of providing bogus appointment order along with other accused. Such findings are given considering the fact that two more offences of similar nature are registered against the applicant. The applicant is a teacher and

in orderly manner, has committed the offence. The white collar crime is thus committed with due deliberation. The seriousness of the offence, material against the present applicant and the fact that other two similar offences are registered, disentitles the applicant from getting the discretionary relief. Just because civil suit is filed, the criminal liability of the applicant cannot be diluted. For unearthing deep rooted systematic planning, investigation is necessary. In view of the above, the application is rejected.

(RAJNISH R. VYAS, J.)

Belkhede, PS