

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

CRIMINAL APPELLATE JURISDICTION

CR. ANTICIPATORY BAIL APPLN. NO. 1388 OF 2023

Mahendra Shankar Dhumal And Ors	Applicants
<u>VERSUS</u>	
The State Of Maharashtra	Respondent

WITH
CR. ANTICIPATORY BAIL APPLN. NO. 614 OF 2023

Maruti @ Balasaheb Narayan Deshmukh	Applicant
<u>VERSUS</u>	
State Of Maharashtra	Respondent

WITH
CR. ANTICIPATORY BAIL APPLN. NO. 620 OF 2023

Nandkumar Laxman Dhumal And Ors.	Applicants
<u>VERSUS</u>	
The State Of Maharashtra	Respondent

WITH
CR. ANTICIPATORY BAIL APPLN. NO. 622 OF 2023

Sunil Shamrao Dhumal And Ors	Applicants
<u>VERSUS</u>	
The State Of Maharashtra	Respondent

WITH
CR. ANTICIPATORY BAIL APPLN. NO. 770 OF 2023

Sandip Bapurao Mandhare	Applicant
<u>VERSUS</u>	
State Of Maharashtra	Respondent

WITH

CR. ANTICIPATORY BAIL APPLN. NO. 1389 OF 2023

Sonali Sampat Chavan And Ors Applicants
 VERSUS.
 The State Of Maharashtra Respondent

- + Mr. Ranjeet H. Patil a/w Mr. Dhavalsinh Patil and Ms. Sampada Patil i/b Ms. Saili Dhuru for the Applicants in ABA/1388/2023 and ABA/1389/2023.
 - + Mr. Sanjeev Kadam, Senior Advocate (Through V.C.) a/w Ms. Varsha Thorat a/w Mr. Aarya V. Ambulkar and Ms. Vrunali Vilankar i/b Mr. Prashant Raul, for the Applicant in ABA/770/2023 and ABA/614/2023.
 - + Mr. Abhijit Kadam (Through V.C.) a/w Mr. Ashish Chavan for the Applicants in ABA/620/2023 and ABA/622/2023.
 - + Mr. Dinesh C. Patankar a/w Mr. Ashwin Ranjane, for the Intervenor in all Applications.
 - + Mr. Alankar Kirpekar (Through V.C.) i/b Mr. Somnath Kale and Mr. Susmit Pathale, for Applicant in IA/4954/2024 and IA/4072/2025.
 - + Mr. Anand Subhash Shalgaonkar, APP, for the Respondent-State in all Applications.
 - + PSI, N. M. Bhosale, Wathar Police Station, present.
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CORAM : ASHWIN D. BHOBE, J.

DATE : 23rd SEPTEMBER, 2026.

P.C.:-

1. Heard Mr. Sanjeev Kadam, Senior Advocate, learned Advocate for the Applicant in ABA/770/2023 and ABA/614/2023, Mr. Ranjeet H.

Patil, learned Advocate for the Applicants in ABA/1388/2023 and ABA/1389/2023, Mr. Abhijit Kadam, learned Advocate for the Applicants in ABA/620/2023 and ABA/622/2023, Mr. Dinesh C. Patankar, learned Advocate for the Intervenor in all the Applications, Mr. Alankar Kirpekar, learned Advocate for the Applicant in IA/4954/2024 and IA/4072/2025 and Mr. Anand Subhash Shalgaonkar, learned A.P.P. for the Respondent-State in all the Applications.

2. These six Applications are filed by the Applicants under Section 438 of the Code of Criminal Procedure, 1973, seeking pre-arrest bail in anticipation of arrest in Crime No. 0020 of 2023, dated 16th January 2023, registered with Wathar Police Station, District Satara, for offences punishable under Sections 406, 409, 420, 467, 468, 471 and 146 of the Indian Penal Code, 1860 (for short, “IPC”), and under Section 146 of the Maharashtra Cooperative Societies Act, 1960.

3. Learned Advocates appearing for the Applicants, learned Advocates for the Intervenors, as well as the learned A.P.P. for the Respondent-State, appearing in these six Applications, request that these matters be taken up together and disposed of by a common order. At the request of the learned Advocates for the parties, these Applications are taken up together and disposed of by a common order.

4. Learned Advocates appearing for the Applicants have tendered the Chart indicating the orders by which the Applicants were granted ad

interim bail, which orders continue as on date. The dates of the orders and the Application numbers, as furnished by the learned Advocates appearing for the Applicants, are transcribed hereinbelow:

Sr. No.	Application Nos.	Date on which Ad-interim Bail was granted by this Court
1	Anticipatory Bail Application No.1388 of 2023, Anticipatory Bail Application No.1389 of 2023	15 th May, 2023.
2.	Anticipatory Bail Application No.620 of 2023, Anticipatory Bail Application No.622 of 2023	1 st March, 2023.
3.	Anticipatory Bail Application No.614 of 2023	28 th February, 2023.
4.	Anticipatory Bail Application No.770 of 2023.	21 st March, 2023.

5. On 15th May, 2023, the following order was passed in Anticipatory Bail Application Nos. 1388 and 1389 of 2023:-

- “1. Heard Mr. Patil learned counsel for the Applicant as well as Mr.Pethe, learned APP for the State in both the Applications.*
- 2. By these Applications, the Applicants are seeking pre-arrest bail in connection with FIR No. 20 registered on 16th January 2023 at Vathar Police Station, District-Satara, for the alleged offences punishable under Sections 406, 409, 420,467,468 and 471 of the Indian Penal Code and under Section 146 of the Maharashtra Co-operative Societies Act, 1960.*
- 2. Learned counsel for the Applicants submitted that the main allegation in the FIR is against the Office Bearers and Directors of Adarsh Gramin Bigarsheti Sahakari Pathsanstha ("Credit Society") at District Satara. He submitted that they are already*

granted interim protection by this Court on 1st March 2023. He further submitted that the Anticipatory Bail Applications filed by the Directors of the said Credit Society are directed to be listed for hearing on 15th June 2023.

3. *Learned counsel for the Applicants in Criminal Anticipatory Bail No. 1388 of 2023 are the branch Managers of the concerned branch of the said Credit Society. Learned counsel further submitted that so far as the applicants in Criminal Anticipatory Bail Application No. 1389 of 2023 are concerned, they are directors of the said Credit Society. He submitted that there are no direct and specific allegations so far as the present Applicants are concerned, and he thus submitted that the Applicants also be granted interim protection as is granted to the office bearers of the Credit Society.*
4. *Learned APP submitted that the earlier protection which was granted to the office bearers of the Credit Society was on the basis of the available documents when the Application was heard. However, a fresh report has been placed on record, which shows that a detailed investigation is required, and hence no interim protection be granted at this stage.*
5. *Considering the aforesaid facts and circumstances and the interim protection granted to the main accused, who are office bearers of the Credit Society, I am inclined to grant interim protection to the applicant till the next date. It will be convenient if these applications are heard along with the main applications, which are directed to be listed on 15th June 2023.*
6. *In view of the aforesaid facts and circumstances following order is passed:*
 - (i) *In the event of arrest of the Applicants in connection with the C.R. No. 20 of 2023 registered with Vathar Police Station, Satara they be enlarged on bail on furnishing PR bonds in the sum of Rs.25,000/- with one or two sureties to the like amount.*
 - (ii) *The Applicants shall report to the Investigating Officer of the concerned police station every Saturday between 10.00 am to 12.00 noon and thereafter as and when required by the Investigating Officer.*

- (iii) The Applicants shall not directly or indirectly make any inducement, threat or any promise to any person acquainted with the facts of this case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.*
- (iv) The Applicants shall keep the Investigating Officer informed of their current address, email id and mobile contact number; and/or change of residence or mobile details, if any, from time to time.*
- (v) The Applicants shall not leave India without prior permission of the Court.*
- (vi) Stand over to 15th June 2023. To be heard along with Anticipatory Bail Application No. 620 of 2023 along with connected Applications.*
- (vii) All concerned to act on an authenticated copy of this order.”*

6. On 1st March, 2023, the following order was passed in Anticipatory Bail Application Nos.620 and 622 of 2023:-

- “1. Heard Mr. A. P. Mundargi, learned Senior Advocate for the Applicants and learned APP Shri Dabke for the Respondent-State.*
- 2. The Applicant-Sunil Shamrao Dhumal in Application No. 622 of 2023 expired. It is confirmed by learned APP through officer present. In view of that his application no more survives and it is dismissed.*
- 3. The Applicants in Application No. 622 of 2023 are the Directors. Whereas Applicants in Application No. 620 of 2023 are the employees of Adarsh Gramin Bigarsheti Sahakari Patsanstha Ltd. Sonake, District Satara. They have been audited by one Vishnu Salunkhe the statutory auditor for the year 2020-2021. He has noticed several irregularities in the loan proposal, investing the amount in fixed deposit other than the Co-operative banks, not taking steps for completing the sale deed*

and variance in amount of cash actually found in hand as compared to amount reflected in the ledger.

- 4. After the audit, he submitted the report to the department of the Co-operation on 01/02/2022 and he was directed to lodge the F.I.R. by the Deputy District Registrar on 04/07/2022. Accordingly, the F.I.R. came to be lodged on 16/01/2023. Offence under Sections 406, 409, 420, 467, 468, 471 read with 34 of the Indian Penal Code and Section 146 of the Maharashtra Co-operative Societies Act came to be registered. These Applicants alongwith others were shown as accused persons. There anticipatory bail applications rejected by the trial Court.*
- 5. Learned Senior Advocate Shri Mundargi invited my attention to a note filed at page no. 318. He submitted that in between the period from the date of the report till lodging the F.I.R. certain irregularities were complied and the amount has been deposited and it is referred in the F.I.R.. He submitted that even after lodging of the F.I.R. there are certain more compliance and all those details are given in the note filed at page no. 318. He submitted that let the report from the Statutory auditor be called.*
- 6. Learned APP submitted that there is Adarsh group who is running the business under the name and style of the different entities and the money of this Patsanstha is being misused with the help of other entities. He submitted that so far as the compliance are concerned, he need to take instructions. Considering the submission made on behalf of the Applicants, if those compliance are made, majority of the recovery aspect will be taken care and investigation will only restrict to the collection of the documents.*
- 7. In view of that I am inclined to grant interim protection. Hence following Order is passed:-*

ORDER

- (i) In case of arrest in connection with C.R. No. 20 of 2023, the Applicants be released on bail on furnishing the Personal Bond and Surety bond in the sum of Rs. 25,000/- each.*
- (ii) Applicants are directed to give attendance to the Wathar Police Station on every Saturday from 10.00 a.m. to 12.00*

noon until further orders.

8. *Matters be kept on 21" March, 2023.*

9. *The prosecution to place on record a report by a statutory auditor who is at present in-charge about the compliance as submitted on behalf of the Applicants on the basis of the note annexed at page no. 318."*

7. On 28th February, 2023, the following order was passed in Anticipatory Bail Application No.614 of 2023:-

"1. Heard learned Advocate Shri Sanjeev Kadam for the Applicant.

2. He apprehends his arrest in connection with an offence bearing C.R. No. 20 of 2023 registered at Vathar Station Police Station for the offence punishable under Sections 406, 409, 420, 467, 468, 468, 471 read with 34 of the Indian Penal Code and Section 146 of the Maharashtra Co-operative Societies Act. The F.I.R. is lodged against in all 21 persons and out of them some are the Directors and employees of Adarsh Gramin Bigarsheti Sahkari Patsanstha Limited. The F.I.R. is lodged on the basis of audit conducted by the Statutory auditor and he found several irregularities. There was misappropriation amounting to Rs. 17,80,19,649/-. Out of them, some of money is brought back in the accounts of the Patsanstha.

3. There were two expert Directors and one of them is present Applicant. He is having limited role to play and that is to advice the Society when it is called. He is not supposed to participate in the management of the Society. However while lodging the F.I.R. his name is also included. His Anticipatory bail application is rejected on the ground that allegations are serious and huge amount is involved. Police are yet investigating the offence and today officer is not present as today is first date.

4. *Accepting the fact that the Respondent is expert director, I am inclined to grant interim protection. Let Investigating agency may point out the materials revealed during the investigation on the next date. Hence following order is passed:-*

ORDER

(i) In case of arrest the Applicant in connection with C.R. No. 20 of 2023, the Applicant be released on furnishing PR bond and surety bond in the sum of Rs. 25,000/-.

(ii) The Applicant to give attendance to Vathar Station Police Station on every Friday from 10.00 a.m. to 12.00 noon until further orders and co-operate the Police as and when required.

5. *Matter be kept on 21 March, 2023.”*

8. On 21st March, 2023, the following order was passed in Anticipatory Bail Application Nos.620, 622, 614 and 770 of 2023:-

“ANTICIPATORY BAIL APPLICATION NO. 620 OF 2023

ALONGWITH

ANTICIPATORY BAIL APPLICATION NO. 622 OF 2023

1. *Learned Senior Advocate Shri Mundargi is not available, adjournment is sought. Officer is present.*
2. *Let matters be kept on 11th April, 2023.*
3. *Ad-interim protection granted earlier to continue till next date.*

ANTICIPATORY BAIL APPLICATION NO. 614 OF 2023

4. *Not on board. Taken on board.*
5. *Matter be kept on 11th April, 2023.*
6. *Ad-interim protection granted earlier to continue till next date.*

ANTICIPATORY BAIL APPLICATION NO. 770 OF 2023

7. *Not on board. Taken on board.*
8. *Heard learned Advocate Shri Sanjeev Kadam for the Applicant and learned APP Shri H. J. Dedhia for the Respondent-State. The officer is present.*
9. *This Court has already granted interim protection to the Applicant-Maruti in Anticipatory Bail Application No. 614 of 2023. He was Expert Director. It is claimed that the role of the Applicant-Sandip is similar to role of Maruti.*
10. *In view of that following order is passed:-*

ORDER

- (i) *In case of arrest of the Applicant in connection with C.R. No. 20 of 2023, the Applicant be released on furnishing PR bond and surety bond in the sum of Rs. 25,000/-.*
- (ii) *The Applicant to give attendance to Vathar Station Police Station on every Friday from 10.00 a.m. to 12.00 noon until further orders and co-operate the Police as and when required.*

11. *Matter be kept on 11th April, 2023.”*

9. Mr. Sanjeev Kadam, learned Senior Advocate appearing for the Applicant in Anticipatory Bail Application Nos. 614 and 770 of 2023, submits that the Applicants in these six Applications have appeared before the Investigating Officers and have cooperated with the investigation in Crime No. 0020 of 2023. He further submits that the Applicants in these

Applications shall appear before the Investigating Officer as and when required and shall continue to cooperate with the investigation in Crime No. 0020 of 2023.

10. Mr. Anand Subhash Shalgaonkar, learned A.P.P. for the Respondent-State appearing in all these six Applications, on instructions from the Investigating Officer, states that the Applicants have appeared before the Investigating Officer as and when required and have cooperated in the investigation of Crime No. 0020 of 2023. Upon completion of the investigation, the Investigating Officer has prepared a charge-sheet, however, it has not been filed in view of the pendency of these Anticipatory Bail Applications. He, on instructions from the Investigating Officer, submits that upon disposal of these Anticipatory Bail Applications, the Investigating Officer shall file the charge-sheet before the Court having jurisdiction.

11. Mr. Anand Subhash Shalgaonkar, learned A.P.P. for the Respondent-State, on specific instructions from the Investigating Officer in Crime No.0020 of 2023, states that the custodial interrogation of the Applicants in these six Anticipatory Bail Applications is not required in Crime No.0020 of 2023.

12. Based on the statement made by Mr. Anand Subhash Shalgaonkar, learned A.P.P. for the Respondent-State, that the custodial interrogation of the Applicants is not required in Crime No.0020 of 2023,

Mr. Sanjeev Kadam, Senior Advocate, learned Advocate for the Applicant in ABA/770/2023 and ABA/614/2023, Mr. Ranjeet H. Patil, learned Advocate for the Applicants in ABA/1388/2023 and ABA/1389/2023 and Mr. Abhijit Kadam, learned Advocate for the Applicants in ABA/620/2023 and ABA/622/2023, submit that these Applications be disposed of by confirming the interim orders passed in these applications.

13. Mr. Dinesh C. Patankar, learned Advocate for the Intervenor in all the Applications, submits that, in view of the acts of the Applicants, the Adarsh Gramin Bigarsheti Sahkari Patsanstha Limited has suffered substantial loss.

14. Mr. Alankar Kirpekar, learned Advocate for the Applicant in IA/4954/2024 and IA/4072/2025, submits that they are the borrowers of the Adarsh Gramin Bigarsheti Sahkari Patsanstha Limited and are affected by the functioning of the Patsanstha. He submits that the Applicants in the said Interim Applications have filed proceedings before the Magistrate under the Code of Criminal Procedure. He states that the said proceedings may be considered by the competent Court on its own merits and in accordance with law. The Magistrate to consider all contentions of the Applicant in IA/4954/2024 and IA/4072/2025 on its own merits and in accordance with law.

15. Considering the statement made by Mr. Anand Subhash Shalgaonkar, learned A.P.P. for the Respondent-State, that the investigation

in Crime No. 0020 of 2023 is complete and that the custodial interrogation of the Applicants is not required, the interim orders referred to in the chart and in paragraphs 5 to 8 hereinabove are hereby confirmed and made absolute.

16. Anticipatory Bail Application Nos.1388, 614, 620, 622, 770 and 1389 of 2023 are disposed of.

17. All pending Interim Applications are disposed of in view of the disposal of the above six Anticipatory Bail Applications.

(ASHWIN D. BHOBE, J.)