

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2190 OF 2016

Dr. Ashok Ganpati Raverkar & Ors. .. Applicants

Versus

Superintendent of Police, Jalgaon & Ors. .. Respondents

.....  
Mr Mahesh S. Deshmukh, Advocate for the applicants  
Mr A. R. Borulkar, APP for respondent/State  
Mr R. C. Patil, Advocate for respondent No. 3  
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**CORAM : A.V.NIRGUDE &  
V.L. ACHLIYA, JJ.**

**DATED : 08.08.2016.**

**PER COURT :**

1. Respondent-complainant lodged a complaint alleging that, the applicants, who are office bearers of Cooperative Credit Society, lured him into depositing huge amounts with a promise that the amount would fetch attractive interest etc. The fixed deposit so kept got matured. The amounts were not returned. The complainant alleged that, the amount so collected were fraudulently handed over to near and dear of the office bearers of Co-op. Credit Society.

2. We are not inclined to hold that, there is an offence made out. The amounts were collected as deposits which was a legitimate business of a Credit Society. The Society was expected to conduct their money lending business diligently. In this case, Society probably incurred loss and, therefore, the deposits could not be returned. We are told Credit Society is still running and is likely to recover its position. In such situation, the complainant could, at the most, have filed a claim on civil side for recovery of the amount.

3. *In spite* of the fact that we expressed our opinion on the merits of the case, the learned counsel for the applicants assured the learned counsel for the complainant that his client's amount with interest would be returned to him within six weeks from today.

4. In view of the aforesaid statement, petition is allowed in terms of prayer clause 'A' of the petition.

**[ V. L. ACHLIYA ]**  
**JUDGE**

**[ A. V. NIRGUDE ]**  
**JUDGE**