

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

**4 CRIMINAL APPLICATION NO. 3227 OF 2016
IN
APPLN/6689/2014**

GANGADHAR PANDURANG GIRAM

VERSUS

THE STATE OF MAHARASHTRA

.....

Mr. V.M.Mane, Advocate for applicant.

Mr. S.P.Sonpawle, A.P.P. for State.

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CORAM : T.V.NALAWADE, J.

DATE : 18th JULY, 2016

ORAL ORDER :-

. The application is filed for cancellation of condition imposed by this Court. By the Order dated 09/02/2015 in Criminal Application No. 6689 of 2014 with connected matters, the applicant was directed to deposit Rs. 10 Lakh for getting bail. The Charge Sheet is already filed against the applicant for the offences punishable u/ss 420, 406, 465, 468, 424, 201, 120-B of the Indian Penal Code, U/ss 3 and 4 of Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 and u/ss 3 to 6 of Prize Chits and Money Circulation Schemes (Banning) Act, 1978. The previous 3 applications filed for cancellation of aforesaid condition were rejected by this Court.

2. In view of the aforesaid circumstances, learned counsel for the applicant was expected to make out the case in respect of change in circumstances. Learned counsel for the applicant submitted that this Court did not properly appreciate the material as the prosecution made misleading submissions before this Court. This submission is not at all acceptable. Admittedly, the applicant is the brother-in-law of main accused Munjaji. There is allegation against these persons that they duped the depositors for the amount of Rs. 25 Crores. Many years Munjaji and his wife were absconding and recently they are arrested.

3. As per the record, Munjaji had purchased one agricultural land and house worth Rs. 17 Lakh in the name of the applicant. One Tipper was purchased in the name of son of the applicant. Thus, the amount of Rs. 17 Lakh was siphoned directly to the applicant and more than Rs. 13 Lakh was siphoned to his son. It can not be said that the applicant was not benefited due to the fraud money.

4. In view of these circumstances, as the stolen property is to be recovered, this Court holds that the aforesaid condition can not be cancelled.

5. Criminal Application stands rejected.

[T.V.NALAWADE, J.]

