

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

917 CRIMINAL APPLICATION NO. 5269 OF 2016

THE STATE OF MAHARASHTRA

VERSUS

**ISHWARLAL MANOHARLAL
DHARIWAL & ORS.**

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Mr. S.D.Ghayal, A.P.P. for Applicant – State.

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CORAM : A.M.BADAR, J.

DATE : 27th SEPTEMBER, 2016

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PER COURT :

1. Heard the learned A.P.P. for the applicant - State.
2. Perused the F.I.R. lodged on 29/07/2016 by the Chartered Accountant after conducting audit of the co-operative Credit Society. Also perused impugned order passed by the learned Additional Sessions Judge, Jalgaon. The averments in the F.I.R. are regarding irregularity of functioning of the affairs of the co-operative Credit Society. The learned Additional Sessions Judge, as seen from the impugned order, has considered each and every aspect of the matter and came to the conclusion that custodial interrogation of the respondent/accused is not warranted and, therefore,

granted pre-arrest bail to them.

3. Perusal of the impugned order does not show that the same is perverse. The offence alleged is based on documentary evidence, which appears to be in the custody of the Chartered Accountant who has conducted audit of the co-operative society.

4. In this view of the matter, no interference in the impugned order is required and as such application u/s 439 (2) of the Code of Criminal Procedure is devoid of any substance. Therefore, the same stands rejected.

5. The Criminal Application stands disposed of.

[A.M.BADAR, J.]