

Shamsunder Kute is running a cloth shop in Beed. He is income tax payer. The informant came in contact with co-accused Sunil More who resides in Mumbai and alleged to be Chartered Accountant. The informant has lodged report on 11.02.2017 alleging there in that accused Sunil More introduced him for handsome loan with low interest rate for trade purpose and for availing the handsome loan, the informant has to pay income tax and submit balance sheet and he asked some amount for the purpose of preparing balance sheet and filing Income Tax Return. The informant paid total Rs.8,55,000/-, by Demand Draft to the Account of Sunil More and the applicant including cash deposit in the Account of applicant and co-accused. It is further alleged that when the informant checked his return, it was transpired that the accused Sunil More has not paid the income tax. On further enquiry, it was revealed that the accused forged the signature of one Manish Kulkarni, C. A. of Panvel. On the basis of information given by the informant, offence came to be registered against the applicant and More.

4. Papers of investigation are made available. From the supplementary statement of the informant, dated 11th April, 2017, it appears that the informant has

accepted an amount of Rs.2,30,000/- by D.D. and Rs.50,000/- by cheque from the present applicant. Mr. Sant, the learned counsel submits that now there is no amount payable to the informant by the present applicant.

5. In view of the fact that the amount alleged to be misappropriated by the present applicant has already been paid to the complainant, the applicant can be protected from being arrested. Hence following order:

O R D E R

- i. In the event of arrest of the applicant in connection with Crime No. 168/2017, registered with- Shivaji Nagar Police Station, Beed, District Beed, he shall be released on bail on his executing P.R. Bond of Rs. 25,000/- [Rs. Fifteen thousand only], with one solvent surety in the like amount.
- ii. Criminal application disposed of.

(K. L. WADANE, J.)

JPC