

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2673 OF 2017

Balaji Sudamrao Nagve, Age 26 ... **Applicant.**
years, Occ. Private Service, R/o.
Wanadgaon, Tq. & Dist. Jalna.

V E R S U S

The State of Maharashtra, **Respondent.**
Through Sadar Bazaar Police
Station Jalna, Tq. & Dist. Jalna.

Mr. G. B. Kulkarni, Advocate for the Applicant
Mr. K.N. Lokhande, A.P.P. for the respondent/State

CORAM : K.L. WADANE, J.

DATE : 06 th July, 2017

ORDER :

1. Heard Mr. Kulkarni learned counsel appearing for the applicant and Mr. Lokhande, learned A.P.P. appearing for the respondent-State.

2. From the contents of the first information report filed by one Mr. Sandip Kadam, Manager, Bank of Maharashtra, it reveals that, the present applicant and other co-accused persons responded to the demand of payee of his "Request Money on UPA application" and transferred the amount of the bank from "Pool account" of the Bank to fulfill the request of payee, though the applicant and co-accused had no sufficient

balance in account and caused loss to the tune of Rs. 96,50,000/- to the Bank.

3. The allegations against the applicant and other co-accused persons are seems to be about on-line transfer of money. Therefore, I am of the opinion that, the offence committed by the accused persons is very serious and in very intelligent manner. The offence is relating to the on-line transfer. Therefore, custody of the applicant-accused is necessary to know the manner in which he has operated the account, used the electronic equipment, etc.

4. In such circumstances, unless and until the applicant is interrogated by taking his police custody, it will not be possible for the investigating officer to investigate the offence in proper perspective. Therefore, the application is liable to be dismissed. Accordingly it is dismissed.

(K.L. WADANE, J.)

mkd/-