

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.232 OF 2017

Gautam Laxman Gaikwad and Anr. Applicants

versus

State of Maharashtra ... Respondent

Mr.Milind Deshmukh, Advocate for the Applicant.

Mr.Sooraj S. Hulke, APP for the State/Respondent.

PSI – Mr. Amol S. Gaval, Hadapsar Police Station, Pune City.

CORAM : MRS.MRIDULA BHATKAR, J.

DATE : 08th FEBRUARY, 2017.

P.C. :

1. The applicant/accused is apprehending pre-arrest bail in C.R.No.711/16 registered with Hadapsar Police Station for the offence punishable under sections 420, 406, 465, 467, 468, 471 of the Indian Penal Code.

2. One Sanjay Krishna Patil, Special Auditor gave information to the police on 20/10/2016 about the lapses in the loan recovery, loan disbursing procedure and so also misappropriation of the bank money. He held responsible the Chairman, Directors and Office Bearers of the credit society, so

also held that Recovery Officers and Daily Deposit Collection Agents are individually and jointly responsible for the offence, wherein the bank has suffered an amount of Rs.61,89,255/-.

3. Today is the first date of application. The Investigating Officer is present. The learned counsel for the applicants/accused has submitted that the applicants/accused are the husband and wife. The applicant/accused No.1 was working as Recovery Officer. He has obtained a loan of Rs.4,50,000/- in the year 2010-2011. However, he has repaid the said loan. The applicant/accused No.2 is the wife and was working as Daily Deposit Collection Agent and she has also deposited her dues, which is to the tune of Rs.39,306/- and thus they have satisfied the amount against the credit society.

4. The learned prosecutor on instructions from the Investigating Officer confirms that such payment was made by the applicants/accused in the bank towards the dues and the audit objections were pertaining to the audit account of the year 2010-2011.

5. Perused the FIR. Perused the documents produced herein. Considered the submissions of both the parties. As amounts which were claimed against the applicant/accused, are deposited by the applicant/accused in the bank, I allow this application and grant pre-arrest bail on the following terms and conditions:

ORDER

- (i) In the event of arrest, the applicants/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.15,000/- each with one or two solvent sureties each in the like amount.
 - (ii) The applicant/accused shall cooperate with the Investigating Officer and attend the concerned police station as and when called.
 - (iii) The applicant/accused shall not commit any offence of similar nature.
6. The application stands disposed of on above terms.

(MRIDULA BHATKAR, J.)