

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

BAIL APPLICATION NO.2031 OF 2016

Suhas Lavekar	 Applicant
versus	
State of Maharashtra	... Respondent

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- Mr.Chaitanya Pendse i/b. Mr.Ravish Mishra a/w Mr.Jayraj shinde, Advocate for the Applicant.
- Ms.Veera Shinde, APP for the State/Respondent.

CORAM : A.S.GADKARI, J.
DATE : 13th APRIL, 2017.

P.C. :

1. This is an application u/s 439 of Cr.P.C. for bail in C.R.No.303/15 dated 28/12/2015 registered with Govandi Police Station, Mumbai, under sections 420, 465, 467, 468, 471, r/w 34 of the Indian Penal Code.
2. There are in all 8 accused persons in the present crime, out of which accused No.1 Sudhir Dashrath Mande has expired prior to lodgment of the First Information Report. Two accused persons namely Vilas Patil and Abdul Shafi Kazi are shown as absconding accused persons. It is the case of prosecution that the accused persons namely Gangaram Pandurang Barve, Nitin

Krushna Wadkar, Vilas Nilkanth Patil and Abdul Shafi Kazi in connivance with the applicant and co-accused Mahadeo B.Shinde, who was the Branch Manager of Sangli Co-operative Bank, Govandi Branch, submitted bogus or forged documents for availing vehicle loan facility with Sangli Co-operative Bank. It is alleged against the applicant that he represented himself to be the proprietor of a firm “My Cars” and opened an account with Mahanagar Co-Operative Bank, Karnak Bunder Branch, Mumbai. That, the co-accused Gangaram Barve, Nitin Wadkar, Vilas Patil and Abdul Kazi submitted the loan proposals with the accused Mahadeo who was then Branch Manager of Sangli Co-operative Bank. The said loan proposals were sanctioned and the amount which was disbursed in favour of Vilas Patil and Abdul Kazi for purported purchase of vehicles in the name of 'My Cars', which was opened with Mahanagar Co-operative Bank, was deposited in the account of the present applicant Suhas Lavekar.

During the course of audit it was revealed that seven loan proposals sanctioned by Mahadeo Shinde, the then Branch

Manager, of Sangli Co-operative Bank, were either fictitious or bogus. In the premise, the first information report was lodged. During the course of investigation, the applicant was arrested on 30/05/2016 and since then he is in jail. After completion of the investigation the police have submitted charge-sheet on 16/06/2016.

3. The record reveals that co-accused Gangaram Barve, Nitin Wadkar and Mahadeo Shinde have been granted bail by the learned Additional Sessions Judge, Mumbai.
4. As stated above, the role ascribed to the applicant in the present crime is that he represented himself to be the proprietor of 'My Car' a fictitious agency brought into existence by forging government documents and after vehicle loan was sanctioned, in the name of Vilas Patil and Abdul Kazi, by Sangli Co-operative Sangli Bank the amount of the vehicle was deposited in the account of My Cars, which was having account with Mahanagar Co-operative Bank. That the applicant thereafter facilitated the other accused persons in siphoning of the said defalcated amount.

5. As stated earlier one of the principal accused Mahadeo Shinde, the Branch Manager of Sangli Co-operative Bank has been released on bail by the Sessions Court. That the applicant is in jail since 30/05/2016. That the police have submitted charge-sheet. There are no antecedents on the discredit of the applicant. In view thereof, the applicant has made out a case for his release on bail.

Hence, the following order :

- (i) The applicant be released on bail in C.R.No.303/15 dated 28/12/2015 registered with Govandi Police Station, Mumbai, on his furnishing P.R. Bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- (ii) After his release from jail, the applicant shall attend the Govandi Police Station, Mumbai, once in three months on every First Monday of the said month between 11.00 a.m. to 02.00 p.m.
- (iii) The applicant shall attend all the dates before the trial Court.
- (iv) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

6. The application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)