

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPP) NO.1214/2017

IN

CRIMINAL APPLICATION (ABA) NO.500/2017

Sanjay S/o Santosh Ramteke

..Vs..

Shankar Kawadu Karnake

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri A.S. Band, Adv. for the applicant.
 Shri A.D. Sonak, A.P.P. for the non-applicant / State.
 Shri Sankalp Meshram, Adv. for the applicant in APPP No.1214/2017.

CORAM : Z.A.HAQ, J.

DATE : 25.7.2017.

For the reasons stated in the application, the complainant Shankar Kawadu Karnake is permitted to come on record. Criminal application is **allowed**.

CRIMINAL APPLICATION (ABA) NO.500/2017

Apprehending arrest in connection with Crime No.185/2017 registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code, the applicant has sought pre-arrest bail.

The crime is registered on the complaint lodged by Shankar Karnake that taking advantage of the trust shown by him, the applicant has withdrawn an amount of Rs.42,92,000/- from the account of the complainant during the period from 2012 to 2016.

According to the applicant, he is running a krushi seva kendra and is supplying / providing

agricultural material to the farmers and if required is also rendering monetary assistance to the needy farmers and the amount receivable by the applicant was sometimes deposited by the farmers in the account of the complainant and that amount is withdrawn by the applicant.

Be that as it may, the applicant is granted interim protection by this Court by the order passed on 14th July, 2017. It is not the complaint of the investigating agency that the applicant has not co-operated with it. The applicant, aged about 37 years, claims to be a businessman and has stated that he is not involved in any other crime / offence.

The applicant has filed an affidavit sworn on 25th July, 2017 giving details of the properties owned by him and has stated that these properties are neither mortgaged nor sold to anybody. The applicant has undertaken that till the disposal of the criminal case arising out of Crime No.185/2017 registered against him, he will not sale, alienate, mortgage or transfer any of the property referred in the affidavit.

Considering the facts of the case and accepting the undertaking given by the applicant, the order passed by this Court on 14th July, 2017 granting protection to the applicant is confirmed. The application is **allowed** accordingly.

JUDGE