

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

BAIL APPLICATION NO. 125 OF 2018

Santosh Vishnu TimboleApplicant

V/s.

The State of MaharashtraRespondent

**WITH
CRIMINAL APPLICATION NO.319 OF 2018
IN
BAIL APPLICATION NO. 125 OF 2018**

Sonali Mohan PawarIntervener

In the matter between :-

Santosh Vishnu TimboleApplicant

V/s.

The State of MaharashtraRespondent

Mr. Aashish Satpute for the applicant.

Mr. Sudhir Hardikar for the intervener.

Mr. S.R. Agarkar, APP for the State.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 31th AUGUST, 2018.**

P.C.:

. This is an application for bail under Section 439 of Criminal Procedure Code filed by the aforesaid applicant, who has been arrested in C.R.No.407/2016 registered at Wakad Police Station, District Pune for offences punishable under sections 420, 468, 470, 471 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Aashish Satpute, learned counsel for the applicant, Mr.

Sudhir Hardikar, learned counsel for the intervener and Mr. S.R. Agarkar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The afore stated crime was registered pursuant to the first information report lodged by one Mangesh Nadkari, Zonal Manager of Bank of Maharashtra. The first information report *prima facie* reveals that in the month of October, 2013, the applicant had availed loan of Rs.16 lakhs by mortgaging house and properties. He had also availed loan of Rs.25 lakhs for purchase of car by hypothecating the car. The applicant had not repaid the loan amount and on the contrary, that after availing the loan, he had sold the house for a price of Rs.1 crore.

4. The car which was hypothecated as security to loan is also not traceable. Hence, the Zonal Manager lodged the complaint against the applicant for committing the aforesaid offence. The records *prima facie* reveals that the applicant is involved in commission of the said crime. Mr. S.R. Agarkar, learned APP also placed on record the report which indicates that the applicant has committed five other similar crimes. The details of which are as under :-

i) C.R.No.343/2015 registered at Wakad Police Station for offences

punishable under sections 406 and 420 of the Indian Penal Code and the amount misappropriated was Rs.1 crore, 08 Lakhs ; ii) C.R.No.264/2015 registered at Chaturshringi Police Station and the amount misappropriated was Rs.1,17,50,000/- ; iii) C.R.No.169/2015 registered at Faraskhana Police Station and the amount misappropriated was Rs.63,13,291/- ; iv) C.R.No.109/2015 registered at Shivaji Nagar Police Station and the amount misappropriated was Rs.50,00,000/- ; v) C.R.No.215/2015 registered at Dattawadi Police Station and the amount misappropriated was Rs.81,00,000/- ; vi) C.R.No.407/2016 registered at Wakad Police Station and the amount misappropriated was Rs.85,00,000/-, all offences punishable under section 420 of the Indian Penal Code.

5. It is seen that the present crime was committed by the applicant while he was on bail. Considering the above facts and circumstances and considering the criminal antecedents, in my considered view, this is not a case for grant of bail. Hence, Bail Application is dismissed.

6. In view of the dismissal of the Bail Application, Intervention Application does not survive and the same is disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)