

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 132 OF 2018

Vivek Sharad Diwan

-vs-

State of Maharashtra, through P.S.O., P. S. Imamwada, Nagpur

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. N.B.Kirtane & C.B.Barve, Advocates for the applicant.
Mr. Mehroz Pathan, APP for the non-applicant.

CORAM : Z. A. HAQ, J.

DATE : 22.05.2018.

Heard.

2. The applicant was arrested on 24th July, 2017 in connection with Crime No.27 of 2017 registered against him for the offences punishable under Sections 406, 465, 408, 472, 477, 474, 120-B, 420, 467, 468, 471 read with Section 34 of the Indian Penal Code. The accusations against the applicant are that he has obtained loan of Rs.11,00,000/- (Rs. Eleven Lakhs) from the Indian Overseas Bank submitting forged and fabricated documents. By order dated 15th February, 2018, this Court granted provisional bail to the applicant accepting submission made on his behalf that an amount of Rs.2,00,000/- (Rs. Two Lakhs) would be deposited within one week from the date of the order and balance amount of Rs.9,00,000/- (Rs. Nine Lakhs) would be deposited within three months from the date of release of the

applicant from jail.

3. It is submitted that the applicant has deposited amount of Rs.2,00,000/- (Rs. Two Lakhs) within one week from the date of the order and he was released on bail, however till date he has deposited further amount of Rs.1,10,000/- (Rs. One Lakh Ten Thousand) only. The learned Advocate for the applicant has submitted that the applicant is willing to deposit further amount of Rs.1,00,000/- (Rs. One Lakh) and requests for three months time to deposit the balance amount.

4. The applicant has failed to comply with the condition No.4 imposed by this Court in the order dated 15th February, 2018. Apart from this, I find that the accusations against the applicant are of serious nature and the request made on behalf of the Investigating Agency that it requires custody of the applicant for further investigation appears to be justified.

5. In view of the above, the application is dismissed.

JUDGE