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

CRIMINAL APPLICATION (ABA) NO.512 OF 2018

(Smt. Jyoti Ajayraj Vanjari Vs. State of Maharashtra thr. PSO PS Saoner, Tah. Saoner, Dist. Nagpur)

Office Notes, Office Memoramda of Coram, appearances, Court's orders of directions and Registrar's Orders.	*Court's or Judge's orders.*

Shri S.S. Jaiswal, Advocate for Applicant.
Shri C.A. Lokhande, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.
DATE: 3rd AUGUST 2018.

Heard.

2] A vehicle loan account turned NPA.

3] The State Bank of India, Saoner Branch lodged report against the borrower one Dildar Sheikh. Concededly, the said Dildar Sheikh did purchase a vehicle availing the loan sanctioned. However, complaint was lodged by the Bank since the supporting documents turned out to be false or fabricated.

4] The Bank did not doubt the integrity of the applicant who sanctioned the loan. However, since during the investigation it transpired that she did not verify the original documents, she is implicated in Crime 449/2017 registered at Police Station Saoner, District Nagpur for offence punishable under sections 420, 468 and 417 read with section 34 of the Indian Penal Code.

5] Failure to verify the original documents may certainly suggest that the applicant was not alive to her duty and was grossly negligent. But then, at least at this stage, there is no material to show that she can be implicated in the crime with the aid of section 34 of the Indian Penal Code. There is absolutely nothing to show that the applicant shared a common intention with Dildar Sheikh to commit the crime.

6] The application is allowed.

7] The interim order dated 11.07.2018 is confirmed.

JUDGE

NSN