

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

CRIMINAL APPLICATION (APPP) NO.1451 OF 2018
IN CRIMINAL APPLICATION (APL) NO.411 OF 2013
(Shri Rajesh s/o Badrinarayan Parikh vs. State of Maharashtra)

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

Shri V.V. Bhangde, Advocate for applicant.
Shri S.A. Ashirgade, Additional Public Prosecutor for
respondent.

CORAM : P.N. DESHMUKH AND
MRS. SWAPNA JOSHI, JJ.

DATED : OCTOBER 9, 2018

Heard learned Counsel for the parties.

This application is filed by applicant for stay to proceedings pending before trial Court vide Case No. MPID/MA/10/00001/2013 contending that question involved in the present proceedings is whether applicant can be held responsible for affairs of financial Institution, namely, Aarya Rup Tourism and Club Resorts Pvt. Ltd., Mumbai, which had floated a scheme for investment wherein any person investing in the said Company was assured double the amount invested by him within couple of months period. According to applicant, he himself is victim of such scheme as in spite of his depositing Rs.5 lakhs, he has not received any amount against such deposit.

Shri Bhangde, learned Counsel for applicant, has also referred to order passed by this Court granting

bail to applicant in Criminal Application No.869/2013 wherein considering similar submissions made on behalf of applicant and also statement that there is no material against applicant in the charge-sheet establishing fact of applicant receiving any money out of said scheme, this Court observed that there is nothing on record, which could establish that applicant has received any amount out of money deposited by him or from the scheme wherein money is deposited by other investors. Such fact is found to be not controverted by the Investigating Agency.

Having considered the fact of applicant's depositing his own Rs.5 lakhs in Company as aforesaid, till application is finally heard, we grant stay to proceedings in above case pending on the file of Ad hoc District Judge-1 and Additional Sessions Judge, Yavatmal against applicant Rajesh s/o Badrinarayan Parikh only.

Prosecution to produce copy of charge-sheet.

Be shown in the caption of "final hearing matters".

Copy of this order, duly authenticated by Court Sheristedar, be given to learned Counsel for the parties.

JUDGE

JUDGE

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