

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

CRIMINAL APPLICATION (ABA) NO.453/2019
Rajaram Ramchandraji Donarkar .vs. State of Maharashtra

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

Court's or Judge's orders.

Mr. S. P. Kshirsagar, Advocate for applicant.
Mr. V. A. Thakare, A.P.P. for non applicant.

CORAM : V. M. DESHPANDE, J.
DATED : AUGUST 21, 2019

The present applicant, who was the Secretary of Akhil Khedula Kunbi Samaj, Nagpur at the relevant time, is apprehending arrest in connection with Crime No.125/2019 registered with Police Station, Sakardara, Nagpur for the offences punishable under Sections 408, 468 and 471 read with Section 34 of the Indian Penal Code, 1860.

2] The Police Station Officer registered the offence since one Anita Thengre filed an application under Section 156(3) read with Sections 190 and 200 of the Code of Criminal Procedure, 1973 before the learned Magistrate and on the said application the offence was registered. According to the complaint, Divisional Agricultural Joint Director, Nagpur was in need of accommodation for holding National Agricultural Exhibition during the period from 09/02/2014 to 13/02/2014. Accordingly, the agreement was executed between him and the Manager of Akhil Khedalu Kunbi

Samaj on 26/12/2013 and the rent was fixed @ of Rs.20,000/- per day. Certain cheques were issued by the Divisional Agricultural Joint Director, Nagpur. Those were credited in the account of co-accused Ishwar Diwate. According to the prosecution, two receipts were issued i.e. receipt No. 138 for Rs.40,000/- and another receipt for Rs.5000/-. According to the prosecution there is a discrepancy in the receipts.

3] From the reply it is clear that all the receipts are already seized in presence of panchas and are in the custody of Investigating agency. It is also pointed out to the Court that now the applicant is not Secretary of the Akhil Khedalu Kunbi Samaj and consequently, he is not having any control over day to day affair of the society. In that view of the matter, I passed the following order.

ORDER

(i) The application is allowed.

(ii) In the event of arrest in connection with Crime No.125/2019 registered with Police Station, Sakkardara, Nagpur for the offences punishable under Sections 408, 468 and 471 read with Section 34 of the Indian Penal Code, 1860, applicant- Rajaram S/o. Ramchandraji Donarkar, be released on bail on he executing P.R. Bond in the sum of Rs.15,000/-.

(iii) The applicant shall remain present before the Investigating Officer as and when his presence is required till filling of charge-sheet, however, for that purpose Investigating Officer shall give three days clear cut communication to him.

The application is disposed of.

JUDGE

Namrata