

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

41 ANTICIPATORY BAIL APPLICATION NO.308 OF 2020

**SAGAR BABASAHEB PUND
VERSUS
THE STATE OF MAHARASHTRA**

...
**Advocate for Applicant : Chapalgaonkar Shailesh S.
APP for Respondent State: Mr.V.M.Kagne**
...

**CORAM : MANGESH S. PATIL, J.
DATE : 03/11/2020**

PC. :-

Heard.

2] This is an application under Section 438 of the Cr.PC.

3] One Jayashri Prakash Malve lodged the F.I.R. alleging that she has been working as a Manager in Credit Cooperative Society. The applicant had approached her seeking loan for purchasing a vehicle. He handed over a quotation to her. Alongwith an application he submitted copy of Pan Card, Adhar Card, Electricity Bills and copies of bank account for 3 years. One Vivek Ugale and Chetan Chavan were kept present as Guarantors. On inquiry by her the applicant also handed over a cash memo of one Shrikripa Automobiles showing that he had already paid an amount of Rs.3 lakhs which should be treated as a caution money. Accordingly the balance amount of purchase price was transmitted by R.T.G.S. on the account of Vishwash Cooperative Bank Pathardi Phata Nashik. However, thereafter inspite of insistence and repeated

notices, the applicant failed to produce the vehicle for physical verification. It was also transpired that even the first instalment was not paid, the documents were turned out to be forged one and thus she alleged that the applicant and the other persons had cheated her Credit Cooperative Society.

4] The learned A.P.P. on written instructions from the Investigating Officer now informs that during the course of investigation it transpired that the applicant had attended the concerned Police Station as per the condition imposed while granting him ad-interim relief. The Investigating Officer has specifically informed that it has transpired during the investigation that the applicant is not involved in the crime and instead he is being cited as a witness being a victim.

5] In view of such a stand by the Investigating Officer now, it would be appropriate to confirm the ad-interim relief granted to the applicant on same terms and conditions with suitable modification.

6] The application is allowed. The ad-interim relief granted to the applicant by virtue of order dated 27/10/2020 is confirmed with the same terms and conditions subject to little modification that he would continue to attend the concerned Police Station only till filing of the charge sheet.

[MANGESH S. PATIL, J.]