

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

97. CRIMINAL WRIT PETITION NO. 961 OF 2020

1. Shamsundar S/o Shankar Khamkar,
age major occupation nil
R/o Kharwandi road, Sonai
Taluka Newasa Dist. Ahmednagar
now at Central Prison, Nasik
2. Mahendrakumar S/o Nandkishore Khamkar,
age major occupation agriculture
R/o A/P Galnimbh Tal. Newasa Dist. Ahmednagar
...Petitioner

VERSUS

1. The State of Maharashtra
Through its Principal Secretary,
Home Department, Mantralaya, Mumbai – 32
2. The Director General of Police,
Police Mukhyalaya, Mumbai
3. The Superintendent of Police,
Ahmednagar Dist. Ahmednagar
4. The Police Inspector,
Economic Offence Wing, Ahmednagar
5. The Police Inspector,
Sonai Police Station Tal. Newasa Dist. Ahmednagar
...Respondents

Talekar and Associates, Advocate for petitioners
Mr. M.M. Nerlikar, Addl. Public Prosecutor for Respts./State

CORAM : T.V. NALAWADE &
M.G. SEWLIKAR, JJ.
DATE : 13th October, 2020

ORDER:

1. Heard both the sides for some time. Seen the reply filed by the respondents.

2. It appears that after filing the chargesheet against the Manager, present petitioner and the Clerk, test audit was conducted. In the test audit it was revealed that the Board of Directors was also responsible for the irregularities and illegalities committed in disbursement of the amount by the bank. Then forensic audit was also done. After that, crime came to be registered against the Directors. It is submitted that the Economic Wing will be filing the chargesheet against the Board of Directors also. They noticed one more thing that no dues certificates were given even when the members, who had taken loan, had not cleared their loan accounts and for that separate crime is also registered and the Economic Wing is taking separate action like filing separate case in respect of that incident. It appears that in Crime Regn. No. 243/2017 as the amount involved is Rs.4,25,803/-, the police station is doing the needful and as the amount is more than Rs. 1.93 crores in other

crime, the Economic Wing is dealing with the matter. Thus, the investigating agency is taking care of the grievance of the petitioner, who indulged as an accused, is the manager. This Court holds that no more direction is necessary. The petition stands dismissed.

Sd/-
(M.G. SEWLIKAR)
JUDGE

Sd/-
(T.V. NALAWADE)
JUDGE

Madkar