

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1525 OF 2018

Tukaram Balu Jagtap & Ors. ...Applicants

V/s

The State of Maharashtra ...Respondent

Mr. Niranjan Mundargi i/b. Datta Mane for the applicants.
Smt. Veera Shinde, APP for the State/respondent.
PSI- A. Mali, Ghoti Police Station, Nashik.

CORAM : PRAKASH D. NAIK, J.

DATE : 24th JANUARY, 2020

PC :

1. Heard. This is an application under section 438 of Cr.P.C. The applicants herein are apprehending arrest in connection with C.R.No.I-53 of 2018, registered with Ghoti police station for offences punishable under section 420, 468, 471 and 120-B read with 34 of IPC.

2. It is the case of the prosecution that on 5th May 2018, Rohit Patil, erstwhile Chairman of Shivrana Credit society lodged a report at the police station, alleging that the managing committee has committed fraud of more than Rs.50 lakhs and hence cognizance of the offence be taken. It appears from the record that the audit of the said society

was conducted for the period from 1st April 2014 to 31st March 2016 and the Auditor had passed a remark that there is misappropriation to the tune of Rs.25,62,887/-by the Chairman and Manager.

3. The learned Counsel for the applicants submits that initially the applicant No.1 and some other applicants were the Directors of the society. The applicant has taken charge as Chairman on 17th January 2018. The audited report is received in March 2018 and in order to counter blast the said audit report the complainant has lodged an F.I.R.

4. There are two rival groups in the said society and the group of applicants has taken over the charge of the society only recently.

5. The applicants were granted interim protection vide order dated 31st July, 2018. They were directed to report concerned Police Station on specified dates and co-operate with the investigation agency.

6. The application was heard on 10th January, 2020. The applicants had contended that, they have complied

directions of attendance. Learned APP on instructions had submitted that with the specimen handwriting and signature of the applicants was required to be obtained and they may be directed to handover laptop. Hence, the applicants were directed to attend Investigating Officer from 14th January to 16th January, 2020 between 10.00 a.m. to 12.00 noon. Learned Advocate on instructions submits that, although the applicants had attended the Investigating Officer, their specimen signatures and handwriting was not obtained. Learned APP submits that apart from the Laptop, the Investigating Agency intends to recover cash book. Learned counsel for the the applicants submitted that they are willing to co-operate with investigation.

7. Hence, I pass the following order:

ORDER

- (i) Anticipatory Bail Application No. 1525 of 2018, is allowed;
- (ii) In the event of arrest of applicant in connection with C.R. No. I-53 of 2018, registered with Ghoti Police Station, Nashik, they shall be released on Bail on

furnishing P.R. Bond in the sum of Rs.50,000/-, each with one or more sureties in the like amount;

(iii) The applicant shall attend the Investigating Officer as and when called for and co-operate with the investigation;

(iv) Cash Book, Laptop and any other documents required by the Investigating Officer be produced by the applicants;

(iv) Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)