

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

CRIMINAL APPLICATION (ABA) 62 OF 2020

Maroti alias Marotrao Latarji Shende and others Vs. State of Maharashtra, through PSO,
PS Kurha, Amravati

WITH

CRIMINAL APPLICATION (ABA) 56 OF 2020

Sunil s/o Dnyaneshwar Walke Vs. State of Maharashtra, through PSO, PS Kurha,
Amravati

WITH

CRIMINAL APPLICATION (ABA) 68 OF 2020

Madhuri Pramod Thakare Vs. State of Maharashtra, through PSO, PS Kurha, Amravati
WITH

CRIMINAL APPLICATION (ABA) 81 OF 2020

Sunil Natthuji Jivtade and others Vs. State of Maharashtra, through PSO, PS Kurha,
Amravati

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

Court's or Judge's orders.

Mr. Bhushan Dafle, Advocate for applicant.(ABA 56/2020)
Mr. U.J. Deshpande, Advocate for applicant. (ABA 68/2020)
Mr. N.R. Rode, APP for non-applicant.

CORAM : ROHIT B. DEO, J.

DATE : DECEMBER 17, 2020.

Heard.

(2) These applications arise from the same crime and are therefore heard together and decided by this common order.

(3) The applicants are Directors of Shri Ambika Gramin Sahkari Path Sanstha Maryadit, Anjansingi.

(4) On the basis of audit report, complaint is lodged alleging misappropriation of Rs.10,79,390/-. Crime 130/2019 is registered in which 29 persons are arraigned as accused,

including the applicants herein for the offence punishable under Sections 120B, 408, 409, 464, 465, 468 and 477A of the IPC.

(5) I have heard learned counsel Mr. U.J. Deshpande in ABA 68/2020 and learned counsel Mr. Bhushan Dafle in ABA 56/2020. Mr. Nilesh Raut, learned counsel who appears in ABA 62/2020 and ABA 81/2020 is not present since one of the family member has tested COVID-19 positive.

(6) I have scrutinized the case diary. The allegations do not make out a case of criminal complicity. The auditor blames the Board of Directors for laxity in supervision. Perusal of the statements of the victims reveal that each of them has blamed one Amit Thakare, an employee who later on committed suicide, for the misappropriation and the role attributed, even by the victims, to the applicants is laxity in supervision. Considering the nature of the accusations and the fact that custodial interrogation is not necessary, all the applications are allowed.

(7) The interim protection granted in each of the applications is made absolute subject to the condition that till filing of the charge-sheet the applicants shall attend the concerned Police Station, if and when required by the Investigating Officer.

JUDGE

Wagh