

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL REVISION NO. 40 OF 2020

Abhijit s/o Jayant Chaudhary (in Jail)

vs.

State of Maharashtra

Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. M. A. Barabde, APP for respondent State.

CORAM : MANISH PITALE J.

DATED : 14/12/2020

None appears on behalf of the applicant.

2. This revision application is filed challenging an order dated 20/12/2019, passed by the Court of Additional Sessions Judge, Akola, whereby the application for discharge filed by the applicant (original accused No.3) at Exh.71, has been rejected.

3. Since this application has been pending for long time and the impugned order was passed almost a year ago, this Court has perused the application and the documents filed therewith. Since an advance copy of the application was served on the office of the Government Pleader, the learned APP is present in Court, ready for arguments.

4. This Court has perused the F.I.R. , charge-sheet, statements of witnesses recorded during the process of investigation. It is pointed out by the learned APP that there is sufficient material on record to show

involvement of the applicant in the offences registered against the accused under Sections 420, 406, 468, 471 read with 120-B of Indian Penal Code and Section 3 of the Maharashtra Protection of Interest of Depositors Act.

5. A perusal of the impugned order shows that the Court below has given due consideration to the material on record to infer that there exists a strong prima facie case against the applicant in respect of his involvement in the crime along with other accused persons. This Court has also perused the F.I.R., charge-sheet and the statements of witnesses recorded during the course of investigation.

6. It is found that Statement given by an investor reveals that the applicant along with other accused persons duped him of an amount of Rs.15 Lacs. Further it is found that the accountant of the concerned company specifically stated about the role of the applicant herein and that the applicant was one of the Directors of the concerned company, involved in duping innocent investors.

7. In view of the above, this Court is of the opinion that revisional jurisdiction cannot be exercised in favour of the applicant.

8. Accordingly, the revision application is dismissed.

JUDGE