

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

CRIMINAL APPLICATION (BA) NO.295 OF 2020

(Ramesh Shrimantappa Gorshetre ..vs.. State of Maharashtra, through PSO, Khamgaon City, District
Buldhana)

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

Court's or Judge's orders

Shri A.C. Dharmadhikari with Shri A.D. Bhate, Counsel for the applicant,
Shri P.S. Tembhare, Addl.PP for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 18-09-2020

Hearing was conducted through video conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Heard.

3. Shri A.C. Dharmadhikari, learned Counsel for the applicant states that the applicant has surrendered on 14-9-2020.

4. The prosecution case is that the complainant and one Manoj Agrawal, alongwith the present applicant, entered into partnership to supply fly ash.

5. Even according to the prosecution, dispute arose between the partners and a separate firm in the name of Appa Corporation was formed by the applicant. The allegation is that 1463 tonnes of fly ash purchased from

Matoshree Enterprises, Bhusawal was sold by the applicant and the amount was reverted to Appa Corporation. Similar allegations are levelled as regards the fly ash procured from Thermal Power Station, Paras. The other allegations are of misappropriation and theft of account books.

6. The State has filed reply. It is not in dispute that the investigation is complete and the charge-sheet is filed.

7. Considering that the possibility that the allegations are levelled in view of the *inter se* dispute between the parties, the fact that the investigation is complete and that the applicant is not a flight risk, there is no reason why the applicant should languish in jail custody.

8. The application is allowed.

9. The applicant shall be released on bail on executing personal bond of Rs.25,000/- with a solvent surety of like amount.

10. Considering the prevailing circumstances, the surety shall be furnished within four weeks of the release.

11. The applicant shall not make any attempt to tamper with the evidence or to influence witnesses.

JUDGE

adgokar