

Vithal s/o Jalba Shinde ... **Applicant**
Age 46 years, Occu: Agriculture
R/o Ayodhya Nagar, Hadgaon,
Tq. Hadgaon, Dist. Nanded

1.	The State of Maharashtra, Through Police Station, Hadgaon Tq. Hadgaon, Dist. Nanded	...	Respondents
2.	The Superintendent of Police, Nanded, Dist. Nanded.		

CORAM : PRAKASH D. NAIK, J.
DATE : 24th November, 2021

1. The applicant is apprehending arrest in connection with Crime No.220/201 registered with Hadgaon Police Station, Tq.Hadgaon, District Nanded the offences punishable under Section 39 of the Maharashtra Money Laundering (Regulation) Act, 2014.

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was registered. It is alleged that, premises of the applicant were searched and the investigating agency collected documents such as bond papers, sale deeds, Souda Chitti, blank cheques, diary etc. It is alleged that the documents such as sale deed were executed in the transaction of money lending.

3. The learned counsel for the applicant submitted that the prosecution case is based on the complaint of Savita Jadhav. It is a false complaint. Sale deed was executed between the parties which has been registered with the Sub Registrar of Registration of Documents. Copies of the said documents are annexed to this application. The applicant is not indulging in any money lending business. Custodial interrogation of the applicant is not necessary.

4. Learned A.P.P. submitted that the applicant has been conducting money lending business without licence. Although the loan obtained by the aggrieved person was repaid to the applicant, the document such as sale deed was executed under coercion. Investigation is in progress. Custodial interrogation of the applicant is necessary. He was found in possession of the documents as stated above when the Investigation agency had visited the place of his business.

5. I have perused the investigation papers. Undisputedly, the documents are collected by the investigation agency. It is pertinent to note that the FIR was lodged on the basis of the complaint forwarded by

aggrieved person namely Savita Jadhav. According to the prosecution, there are other aggrieved persons. Investigation papers would indicate that the statement of Savita and other aggrieved person who had executed alleged money lending transactions are not recorded. In the circumstances, applicant cannot be subjected to custodial interrogation.

6. Hence, I pass the following order :-

ORDER

- i. Anticipatory Bail Application No. of is allowed;
 - ii. In the event of arrest of the applicant in Crime No.220/201 registered with Hadgaon Police Station, Tq.Hadgaon, District Nanded , the applicant be released on bail on executing PR bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;
 - iii. The applicant shall attend the investigating officer on 1st, 2nd and 3rd December, 2021 between 11.00 a.m. to 1.00 noon and thereafter as and when called for till filing of the charge sheet.
7. Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)

JPC