IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1573 of 2021

Vikas Ravi Kir .. Applicant
Versus
The State of Maharashtra .. Respondent

…

Mr.Satyavrat Joshi i/b Mr.Samay Pawar for the applicant.
Mr.A.R. Kapadnis, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 9th JULY 2021

P.C:-

1 An FIR came to be registered at the instance of one Karan Tulsani at Pimpri Police Station, District Pune, which resulted in invocation of offence under Sections 326, 384, 506 read with Section 34 of the IPC and Sections 31, 39 and 21 of the Maharashtra Money Lending (Regulation) Act, 2014.

2 The complainant allege that he run a cloth shop and as a capital for his business, he was in need of money. He was aware that one Vikas Kir (applicant), Sachin Saude, Vijay Saude and Khoopchand Mantani, residents of Pimpri Kalewadi are into money lending business. He, therefore, sought a sum of

Rs.50,000/- from the applicant who lend the amounts to him by levying 25% interest for 20 days in October 2020. The agreement was to the effect that if the borrowed sum is not repaid in 20 days, then, a penalty of Rs.2,000/- per day would be levied. Since the complainant was unable to pay the amount within the period stipulated, he paid penalty of Rs.2,000/- for 40 days, in all an amount of Rs.80,000/-.

3 The allegation against the applicant is that he asked the complainant to meet him at Shagun Chowk, Pune and the applicant took the complainant to Mrunal Lawns where he demanded money and intimated the complainant by asking him to pay the money, or else he will not let him go and assaulted the complainant. Thereafter, the complainant's father repaid the borrowed amount with interest. The allegation is levelled to the effect that the accused persons are in the business of money lending and threaten people if the money advanced is not paid back and compell the complainant to pay exorbitant rate of interest.

4 The accusation against the applicant who is named as one of the accused persons are serious in nature and from the narration of the complainant, exorbitant rate of interest is being charged and thereafter, pressure tactics is adopted for extorting this exorbitant amount of interest. Admittedly, the applicant do

not possess any Money Lending licence. The allegations require a custodial interrogation since it will have to be ascertained whether such activity is carried out in utter violation of the Maharashtra Money Lending Regulation.

5 In light of the accusations faced by the applicant at the instance of the complainant, custodial interrogation of the applicant is very much necessary, in order to ascertain whether the same *modus operandi* is adopted by the accused persons by lending money and subsequently, extorting the same from the helpless persons.

6 Application is rejected.

SMT. BHARATI DANGRE, J

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