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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2803 OF 2021

Mr. Amar Sadhuram Mulchandani ...Applicant

Versus

The State of Maharashtra & Anr. ...Respondents

.....
Mr. Sanjeev Kadam i/b. Mr. S.R. Phanse for the Applicant.
Mrs. P.P.Shinde, APP for the Respondent -State.
Mr. Abhijit Kulkarni for the Investors.

.....
CORAM: V.G.BISHT, J.
DATE: 24TH NOVEMBER, 2021

PC:-

1. Heard Mr. Kadam, learned Counsel for the applicant, Mrs. Shinde, learned APP and Mr. Kulkarni, learned Counsel for the investors.
2. Learned Counsel for the investors submits that he would be filing an interim application to intervene in the matter.
3. It is made clear that as of now no interim application is forthcoming on record and therefore, there is no question of

hearing Mr. Kulkarni. However, I am inclined to take into account that he is representing the cause of investors.

4. I have also gone through the order of the trial Court dated 10th November, 2021. There is observation of the trial Court that the application is not filed in respect of any specific crime or even in respect of any specific complaint. The application is filed only on the ground of apprehension that new complaint at the instance of Mr. Rajesh Jadhawar may be registered against the applicant. The learned trial Court was not inclined to entertain the application and accordingly rejected the same.

5. I have also gone through the anxiety apparent from the contents of application whereby the applicant has raised his serious apprehensions of his being arrested in cognizable offence. According to learned Counsel, several FIR have also been filed on the basis of audit report pertaining to Seva Vikas Co-operative Bank of which the applicant is Ex-Chairman.

6. Learned Counsel for the applicant therefore requests that at least he be given certain time to approach the competent Court in the event of any FIR being registered against him.

7. I may make it clear to learned Counsel for the investors that this Court is not going to grant protection in the form of ad-interim order of the nature of the anticipatory bail or for that matter the application itself. I am only concerned with the apprehensions, which appear to be justified, of the applicant and therefore, only in the facts and circumstances of the case would be asking respondent to give 72 hours notice to the applicant in the event respondent desires to arrest the applicant on the basis of registration of any cognizable offence.

8. This being so, I pass the following order :

ORDER

(i) In the event the respondent finds it necessary to arrest the applicant in connection with any

complaint pertaining to cognizable offence at the behest of Mr. Rajesh Jadhawar, Joint Registrar (Audit) with respect to specific report, audit report and special report dated 6th August, 2021 submitted by him to the office of Commissioner of Co-operation and Registrar of Co-operative Societies, Pune, the applicant be given 72 hours advance notice.

(ii) Application is disposed of in above terms.

(V.G.BISHT, J.)