

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

Criminal Application (ABA) No. 125 of 2021

(Shri Sunil Kashinath Yerne ..vs.. The State of Maharashtra through P.S.O., P.S., Chandrapur City,
Tah. & Dist. Chandrapur)

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

Court's or Judge's orders

Mr. Bhushan Daffe, Advocate for the applicant
Mr. S. A. Ashirgade, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 12-03-2021

Heard.

2. The applicant is apprehending arrest in Crime 1119/2018 registered with Police Station, Chandrapur City for the offences punishable under Sections 420 and 406 read with Section 34 of the Indian Penal Code and Section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act.

3. The crime is registered on the basis of report dated 11-10-2018 lodged by Mr. Shedmake alleging that hundreds of innocent persons who are lured into depositing amount of ₹ 28,89,186/- with Pratishtha Mahabachat Nidhi Limited Company, which was setup by the applicant and others only as a vehicle of commission

of crime. Apart from the fact that there is *prima facie* material against the applicant-accused in the form of statements recorded which highlight that the applicant played an extremely significant role in the company, no discretion can be exercised in favour of the applicant since according to the prosecution, he has lied on oath before the learned Sessions Judge and this Court by mentioning the non existent residential address. The address of the applicant is mentioned as Babupeth, Ward No. 2, Mahatma Fule Chouk, Chandrapur, Tah. & Distt. Chandrapur. The Investigating Officer has personally verified the address. The statements of residents of the locality are duly recorded and it has transpired that the applicant is not residing at the said address. In view of the material on record and conduct of the applicant in deliberately stating a false address on oath, the application is dismissed.

JUDGE