

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

CRIMINAL APPLICATION (BA) 910 OF 2021

(Shaikh Javed Sheikh Hussain Kadri..vs. State, thr PSO, PS Ramdaspath, Akola)

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

Court's or Judge's orders.

Mr. P.A. Nemade, counsel for applicant.
Mr. N.S. Rao, APP for non-applicant /State.

CORAM: ROHIT B. DEO, J.

DATE: 27.09.2021.

Heard.

2. Applicant Sheikh Javed Sheikh Hussain Kadri is seeking bail in connection with Crime 624/2021, registered with Police Station, Ramdaspath, Akola, for offences punishable under sections 406, 420, 201 of Indian Penal Code.

3. It is not in dispute that the applicant is the agent of Narmada Solvex Private Ltd, Akola, whose director Shivprakash Ruhatia is the co-accused. Shorn of unnecessary details, the prosecution case is that several businessman operating within the Agricultural Produce Marketing Committee, Akola lodged report that the accused

purchased Soyabean worth Rs. 1,87,78,491/-, the present applicant Sheikh Javed Sheikh Hussain Kadri issued cheques and then directed the bank to stop payment.

4. The learned counsel Mr. P.A. Nemade invites my attention to the order of the Appellate Authority under section 52-B of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963 and in particular, to the finding that the non-applicants in the said Appeal, who are the complainants, have not proved satisfactorily that the applicant purchased Soyabean, as an agent of Narmada Solvex Private Ltd, Akola from the complainants.

5. In any event, the material in the chargesheet shows that the dispute appears to be predominantly civil in nature. Criminal prosecution cannot be a leverage to recover disputed dues.

6. The applicant has no criminal antecedents and is not likely to be a flight risk. The investigation is complete

and the chargesheet is filed.

7. The applicant has made out a case for grant of bail.

8. The applicant be released on bail in connection with Crime 624/2021, registered with Police Station, Ramdaspath, Akola, for offences punishable under sections 406, 420, 201 of Indian Penal Code, on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with one solvent surety of the like amount.

9. The applicant shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the evidence.

10. The applicant shall not leave the country without the permission of the trial Court.

Judge