

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

CRIMINAL APPLICATION [ABA] NO. 617 OF 2021.

Dinesh Homendra Kambale

-VERSUS-

State of Maharashtra, through P.S. Sakoli, District Bhandara.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri P.S. Jaiswal, Advocate for the Applicant.
Shri S.M. Ghodeswar, A.P.P. for the Non-applicant.

CORAM : VINAY JOSHI, J.
DATE : DECEMBER 16, 2021.

Heard.

2. Registration of crime no.369/2021 with the Sakoli Police Station, District Bhandara for the offence punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code, led the applicant to approach this Court for grant of pre-arrest protection. The applicant contended that he is neither the Director of the concerned Company namely Dream Vision, nor he has accepted the amount.

3. The State has resisted the bail by filing reply-affidavit contending that the applicant was

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looking after the day to day affairs of the Company. Perusal of the first information report indicates that the informant was asked to invest the amount in the Company on the promise of high return. The informant has invested total amount of Rs.10,12,500/- with the Company. The first information report indicates that the co-accused Kamlesh Dongre took lead in accepting amount with another co-accused. The allegations against the applicant are restricted to the extent that, at his residence the applicant and co-accused met the informant. The State has failed to point out any incriminating material against the applicant. Considering the limited role ascribed to the applicant, his liberty can be protected. In view of above, following order is passed.

- (a) Criminal Application is allowed and disposed of.
- (b) The interim order passed by this Court on 17.09.2021 in this matter, is hereby made absolute on the same terms and conditions.
- (c) The applicant/accused shall continue to attend the police station till filing of the charge sheet or for a period of 60 days, which ever is earlier.

JUDGE