

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 ANTICIPATORY BAIL APPLICATION NO.584 OF 2022

CHANDRAKANT NARAYAN DESLE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. V.D. Hon, Senior Advocate h/f. Mr. A.V. Hon
APP for the respondent – State : Mr. S.B. Pulkundwar
...

CORAM : MANGESH S. PATIL, J.

DATE : 13 JULY 2022

PC :

After hearing arguments of both the sides when this Court expressed its disinclination to reconsider the request of the applicant for grant of anticipatory bail, the learned senior advocate, on instructions, seeks leave to withdraw the application.

2. Application is dismissed as withdrawn.

3. However, in spite of withdrawal of the application, I find it imperative to record certain observations.

4. A deep rooted conspiracy involving several persons including the employees of an insurance company is apparently not being investigated in the expected manner.

5. A bare look at some of the statements recorded during the course of investigation reveal that it is not merely a matter of some

financial irregularity or may be misappropriation just to earn some commission. Over and above, it transpires that by hatching a conspiracy several claims were put up pursuant to the insurance policies although only some of the claims were genuine. It also transpires that the claim amounts were thereafter appropriated not only by the main culprits, the employees of the insurance company but even the heirs of the persons stated to be dead.

6. One cannot but record the observation that the Investigating Officer does not seem to be serious in undertaking the investigation for the reasons best known to him. Even in respect of the present applicant, his earlier application for anticipatory bail was rejected almost 1-1/2 year back but still the Investigating Officer could not arrest him. Again one of the accused was allowed to be released on anticipatory bail by the Sessions Court by the order dated 05-03-2022 and still the prosecution does not seem to be keen to challenge it.

7. In my considered view, the matter calls for personal attention of the concerned Superintendent of Police who shall look into the matter and take appropriate steps to see to it that the investigation reaches a logical end at the earliest.

[MANGESH S. PATIL]
JUDGE

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