

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**920 ANTICIPATORY BAIL APPLICATION NO.865 OF 2022
WITH ABA/866/2022**

**1. MAHESH VASANT SHIMPI AND ANOTHER
2. SMT. PALLAVI W/O MAHESH SHIMPI**

VERSUS

THE STATE OF MAHARASHTRA

AND

ANTICIPATORY BAIL APPLICATION NO.866 OF 2022

1. RAHUL RAJENDRA AGRAWAL

2. TUSHAR KALIDAS INGALE

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Amarjitsing B. Girase

APP for Respondent State: Mr. K. S. Patil

CORAM : S. G. MEHARE, J.

DATE : 5th AUGUST, 2022

ORDER:

1. Heard learned counsel for the applicants and learned APP for the State.

2. The facts of the case have been discussed while granting interim protection to the applicants. The allegations against the applicants are that they instigated the complainant to make investment in a company and accordingly, the complainant invested money. However, the complainant suffered loss. It is the case of the applicants

that the complainant was informed about each and every conditions of investment and refund. The complainant is at fault. Therefore, the interim protection granted to them may kindly be confirmed.

3. Learned APP has strongly opposed the applications contending that the applicants were involved in systematically convincing the complainant to invest money in a company where no good returns could be received. Therefore, the applicants have committed serious offence.

4. Considering the allegations levelled against the applicants, it appears that except the allegation of instigating the complainant to investment money with a company, there are no other serious allegations. The prosecution has no case for custodial interrogation of the applicants. Therefore, the applications deserve to be allowed. Hence, the following order:

ORDER

- (i) The applications are allowed.
- (ii) Interim protection granted to the applicants by order dated 13th July, 2022 is confirmed on the same terms and conditions of bail.

(S. G. MEHARE, J.)

JPChavan