

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No.1446 OF 2022

Megha Gondhale

...Applicant

Vs.

State of Maharashtra

...Respondent

* * * *

Mr. Yuvraj Narvankar for Applicant

Mr. P.H. Gaikwad, APP for State/Respondent

Coram : Sandeep K. Shinde, J.

Dated: 9th JUNE, 2022.

P.C. :

1. Heard Mr. Narvankar, learned counsel for the Applicant and Mr. Gaikwad, learned APP for the State.

2. Apprehending arrest in connection with the investigation in Crime No. 115-2022, registered with Upnagar Police Station, Dist. Nashik for the offence punishable under Sections 420, 468, 471, 406, 34 of the Indian Penal Code, Applicant seeks pre-arrest bail.

3. Pursuant to the statutory audit of Sidheshwar Co-operative Credit Society, Ltd. Devlali Gaon (Society for short), auditor had filed a complaint, alleging the unlawful acts and omissions of the

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committee members caused loss to the Society to the extent of Rs.64 lakhs. Whereafter, crime in question came to be registered in 2022 in relation to alleged irregularities relating to period 1.4.1005 to 31.3.2008.

4. Mr. Narvankar, learned counsel for the Applicant, on instructions, submits that the applicant was a manager of the said society, for a period, during which, the administrator was appointed. Mr.Narvankar has invited my attention to the order dated 17th May, 2022, by which, pre-arrest permission has been granted to the directors of the said Society by this court; which points out that, liquidator has taken the charge of the Society and all documents and the record are in his custody.

5. Having regard to facts of case, and in particular that Applicant was administrative officer of the society and not authorized to sanction the loans, custodial interrogation of the applicant shall not further case of applicant. In fact, prosecution case is founded on documentary evidence. In that view of the matter, application is allowed. Thus the following order:

Order

(a) In the event of arrest in connection of Crime No. 115-2022, registered with Upnagar Police Station, Dist. Nashik, the

applicant shall be released on bail in the sum of P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(b) The Applicant shall join the investigation, as and when called.

6. Anticipatory bail application is allowed and disposed of accordingly.

7. It is made clear that observations made hereinabove be construed as expression of opinion for the purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(Sandeep K. Shinde, J.)