

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1150 OF 2022

Akshay Sanjay Borade ... Applicant

Vs.

State of Maharashtra ... Respondent

WITH

INTERIM APPLICATION NO.2257 OF 2022

Shriram Transport Finance Co. Ltd. ... Applicant

Through Swapnil Dilip Patil ... (Intervenor)

Vs.

State of Maharashtra and another ... Respondents

IN

ANTICIPATORY BAIL APPLICATION NO.1150 OF 2022

ALONG WITH

ANTICIPATORY BAIL APPLICATION NO.1255 OF 2022

Amol Mohan Sawant ... Applicant

Vs.

State of Maharashtra and another ... Respondents

WITH

INTERIM APPLICATION NO.1696 OF 2022

Shriram Transport Finance Co. Ltd. ... Applicant

Through Swapnil Dilip Patil ... (Intervenor)

Vs.

State of Maharashtra and another ... Respondents

IN

ANTICIPATORY BAIL APPLICATION NO.1255 OF 2022

Mr. Sujay H. Gangal for Applicant in ABA/1150/2022.

Mr. Tejesh Dande a/w. Mr. Rajendra Anbhule and Mr. Bharat Gandhi i/b.

Ms. Pooja Chavan for Applicant in ABA/1255/2022.

Mr. Vikrant C. Shivdas for Intervenor in both the Applications.

Ms. Geeta P. Mulekar, APP for Respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : SEPTEMBER 21, 2022

P.C. :

Heard.

2. Applicant - Akshay (accused No.6) was working as a recovery agent whereas applicant - Amol (accused No.2) was working as a recovery officer with Shriram Transport Finance Company Limited. In a complaint, the said Finance Company alleged that in the capacity of

recovery agent and recovery officer, defalcation is committed.

3. Applicant Amol has already deposited an amount of Rs.3,50,000/- in this Court which is the proceeds of the crime in question.

4. Let the said amount be diverted to the account of the investigating officer.

5. As far as accused applicant Akshay is concerned, though he has claimed that amount of Rs.60,000/- alleged against him in the offence is deposited in the private account of accused No.1, counsel for the applicant makes a categorical statement, on instructions, that the said amount will be deposited with the investigating officer within a period of two weeks from today.

6. Statement accepted.

7. As the amount involved in commission of the crime is already secured, in my opinion, custodial interrogation of the applicants cannot be justified.

8. In this background, in the event of arrest of the applicants in Crime No.127 of 2022 registered with Indapur Police Station, District - Pune (Rural) for the offence punishable under Sections 406, 408, 409, 420 read with Section 34 of the IPC, they be released on bail on executing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount. Applicants shall attend the Investigating Officer from 26th to 30th September, 2022 between 10:00 a.m. and 12 noon and thereafter as and when directed by the Investigating Officer. The said applicants shall not directly or indirectly try to influence the prosecution witnesses and tamper with the evidence.

9. Applications are disposed of accordingly.

10. In view of the disposal of anticipatory bail applications, nothing survives in interim applications. As such, interim applications stand disposed of.

(NITIN W. SAMBRE, J.)