

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2625 OF 2021

Kumar Shridhar Godase ... Applicant
Vs.
State of Maharashtra ... Respondent

WITH
INTERIM APPLICATION NO.2942 OF 2022

Viraj Pankaj Gaikwad and others ... Applicants
Vs.
State of Maharashtra ... Respondent

IN
ANTICIPATORY BAIL APPLICATION NO.2625 OF 2021

Mr. Sandesh D. Patil a/w. Ms. Divya Pawar Patil i/b. Mr. Prashant P. Jadhav
for Applicants in ABA.

Ms. Geeta P. Mulekar, APP for Respondent No.1.

Mr. Chetan Nagare for the Intervenor.

CORAM : NITIN W. SAMBRE, J.
DATE : SEPTEMBER 22, 2022

P.C. :

Heard.

2. The applicant is seeking pre-arrest bail in Crime No.658 of 2022 registered with Hinjwadi Police Station, Pimpri-Chinchwad for the offence punishable under Sections 420, 504 read with 34 of the Indian Penal Code and Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors Act, 1999 (MPID Act).

3. Case of the prosecution is, a company, namely Annadata Multi Services Private Limited of which the applicant is the business head entered into agreements (ponzi scheme) and defrauded the public at large.

5. The contention of Mr. Patil, counsel for the applicant is that the applicant has co-operated in the investigation. It is contended that not only he has explained the flow of amount to his account but has also

surrendered the vehicles of the directors, who are co-accused, to the investigating officer. He would urge that the applicant is unnecessarily targeted in the offence in question.

6. Learned APP assisted by counsel for the complainant would urge that the applicant was the business head and main kingpin in the commission of offence in question. As such, custodial interrogation of the applicant is required.

7. It appears that the offence alleged against the applicant is committed in the entire State as number of aggrieved persons have lodged complaints with the investigating officer. The applicant, admittedly, was the business head of Annadata Multi Services Private Limited. He has not only extracted deposits from various persons which run into lakhs of rupees but he has also failed to provide returns as was promised, resulting into invoking provisions of MPID Act. The amount received by the applicant in his personal account from the company sufficiently establishes his link to the nature of business controlled by the applicant for Annadata Multi Services Private Limited.

8. The aforesaid evidence sufficiently implicates the applicant of playing active role in the commission of crime.

9. That being so, no case for bail is made out. Application fails and stands rejected.

10. Since the ad-interim protection is in operation for a period of about one year, the same is extended for a period of four weeks from today, as prayed for.

11. In view of disposal of the anticipatory bail application, nothing survives in interim application for intervention. As such, interim application stands disposed of.

(NITIN W. SAMBRE, J.)