

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application (BA) No.574/2022

Anil Khadse V State of Maharashtra thr PSO PS Kotwali, Amravati

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri H. Bonde, Advocate for applicant.

Mr. V.A. Thakare, APP for State.

CORAM : ANIL S. KILOR, J.

DATE : 20-06-2022

The applicant has approached to this Court by filing the present application under Section 439 of the Code of Criminal Procedure for grant of bail in connection with Crime No.0124/2022 dated 02-03-2022 registered with Police Station Kotwali, District Amravati for the offences punishable under Sections 409 and 420 read with 34 of the Indian Penal Code.

2. The learned Counsel for the applicant submits that the employee of the applicant has committed the offence. Whereas the applicant has been falsely implicated in the alleged offence. It is submitted that looking to the status of the applicant in life and the reputation in the society, there is no possibility that he will not be available for trial or he will not cooperate in the investigation.

3. It is further submitted that the applicant is a whistle

blower and not the accused. However, he submits that the real culprits have been made the applicant as scapegoat in this case. He, accordingly, prays for grant of bail.

4. The learned APP, on the other hand, strongly opposed the application and submits that there are three offences registered against the applicant of similar nature and the total amount involved in the three offences is more than 99 lakhs. It is submitted that the applicant has opened various companies in the name of his employee. He further submits that the investigation is going on and as two other co-accused are absconding, the applicant may not be granted bail till the completion of investigation and filing of chargesheet

5. I have perused the case diary and the contents of the First Information Report (FIR). The case diary discloses that, prima facie, sufficient incriminating material is collected by the Investigating Officer to show involvement of the applicant in the alleged offence. Whether the alleged crime is committed by the employee of the applicant or the applicant is the matter of investigation which is going on and therefore at this stage, it is difficult to say that he is not guilty of the alleged offence.

6. As the investigation is going on and the amount involved in all the three offences is more than 99 lakh, I am of the opinion that the applicant is not entitled for grant of bail. Hence, I

pass the following order :-

Order

Application is rejected.

(Anil S. Kilor, J.)

Deshmukh