

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

CRIMINAL APPLICATION (ABA) NO.421 OF 2022

(BHUSHAN BALAJI DHONGADI....VS.. STATE OF MAH. THR. PSO PS AJANI, NAGPUR)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms Mohini Sharma, Advocate for Applicant.
Shri S.D.Sirpurakar, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : AUGUST 05, 2022.

1. Heard.
2. By this application under Section 438 of the Code of Criminal Procedure the applicant is seeking pre-arrest bail in Crime No.239 of 2022, registered with Police Station, Ajni, Nagpur for the offences punishable under Sections 420 read with Section 34 of the Indian Penal Code.
3. Ms Sharma, learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged offence. She further submits that as the applicant had resigned as a Director from the company VBP Suncorp Nidhi Ltd., the applicant is not connected with the alleged offence. She further submits that custodial interrogation of the applicant is not necessary. Accordingly, she prays for grant of pre-arrest bail.

4. The learned A.P.P. strongly opposed the application and he submits that the application moved by the co-accused for grant of pre-arrest bail was rejected by this Court on 05/07/2022 and the role of the present applicant and the applicant in the said matter is similar and therefore, he submits that considering the seriousness of the offence, this Court may not grant bail to the applicant.

5. I have perused the case diary and the F.I.R.

6. The period of the alleged offence is 26/09/2019 till 09/12/2021. In the said backdrop, if the date of resignation of the applicant is considered i.e. 02/11/2020, it shows that the applicant was holding the post of Director at the relevant time in the said company.

7. Thus, considering the nature and seriousness of the offence and the allegations made in the F.I.R., I am of the opinion that the custodial interrogation is necessary. Accordingly, I pass the following order:

The application is **rejected**.

JUDGE

RRaut..