

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

CRIMINAL APPLICATION (ABA) NO.712 OF 2022

(SATISH VINAYAKRAO DESHMUKH & ANR...VS.. STATE OF MAH. THR. PSO PS ANSING, DIST.
WASHIM)

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

Court's or Judge's orders

Shri A.M.Jaltare, Advocate for Applicants.
Shri N.R.Rode, A.P.P. for Non-applicant/State.
Shri Ram Karode, Advocate to Assist Prosecution.

CORAM : ANIL S. KILOR, J.
DATED : DECEMBER 14, 2022.

1. Heard.
2. By this application under Section 438 of the Code of Criminal Procedure the applicants are seeking pre-arrest bail in Crime No.102 of 2022, registered with Police Station, Ansingh, District: Washim for the offences punishable under Sections 409, 406, 417, 420 read with Section 34 of the Indian Penal Code.
3. After going through the case diary it appears that the allegation of misdeeds are of the period starting from 2004. As per the F.I.R. the amount of misappropriation is Rs.4,88,000/-. The F.I.R. was registered in the year 2022 i.e. after 18 years. Moreover, there are counter F.I.Rs because of the dispute in the Trust. Some proceedings are pending before the Charity Commissioner.

4. In this crime the police have seized all the relevant record and documents.

5. Considering the allegations and the dispute between the Trust coupled with the statement made by the learned counsel for the applicants that the applicants are ready to deposit Rs.50,000/- to show their bonafides, I am of the opinion that custodial interrogation of the applicants is not necessary. Accordingly, I pass the following order:

- i) Criminal application is allowed;
- ii) It is directed that in the event of arrest of the applicants in connection with Crime No.102 of 2022, registered with Police Station, Aansingh District : Washim for the offences punishable under Sections 409, 406, 417, 420 read with Section 34 of the Indian Penal Code, 1860 the applicants shall be released on bail on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand each with one solvent surety in the like amount for each of the applicants.
- ii) The applicants shall attend the concerned Police Station as and when their presence is required.

- iii) The applicants shall not tamper with the prosecution witnesses.

The Criminal Application is **disposed of** accordingly.

JUDGE

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