

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

CRIMINAL APPLICATION (ABA) NO.773 OF 2022

Shri Purushottam Jagdev Chachire .Vs. State of Maharashtra, through P.S.O.
Nandanvan, Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.P. Joshi, Advocate for the applicant.

Shri V.A. Thakare, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 12/12/2022

1. Heard.
2. The applicant is seeking pre-arrest bail in Crime No.67 of 2022, registered with Police Station: Nandanvan, District: Nagpur, for the offences punishable under Sections 120-B, 406, 409 and 420 of the Indian Penal Code and Section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999.
3. In the present crime, the allegation against the applicant is that, he duped and collected the amount of Rs.1,26,050/- from 82 different investors.
4. The learned counsel for the applicant submits that, he has been regularly attending the Police Station and cooperating the Investigating Officer in investigation therefore, his custodial interrogation is not necessary.

5. On the other hand, Shri Thakare, learned APP points out that there is an active involvement of the applicant in the alleged crime and it can be seen from the overt act attributed to him namely he took a premises on rent for the office in the name of 'Aimrax Trade Money'. Then, he employed one person Manoj Kamble who with malafide intention obtained two Gumastas, one in the name of Manoj Kamble and another in the name of Sanjeev Kumar (the co-accused).

6. I have perused the case diary.

7. From the material collected by the Investigation Officer, *prima facie* it cannot be said that the role of the applicant was only to the extent and restricted as agent but he took a premises on rent to open the office and employed one person. Two Gumastas were obtained and this was all done to dupe the investors. In that view of the matter, I am of the opinion that, custodial interrogation of the applicant is necessary.

Accordingly, the criminal application is **rejected**.

JUDGE