

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

951 CRIMINAL APPLICATION NO.198 OF 2023

BHAGWAN MAHADU SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Gite Ravi Balasaheb
APP for Respondent/State : Mr.A.R. Kale
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**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 5th JULY, 2023.**

PER COURT :-

1. Heard. Issue notice to the respondents, returnable on 2nd August, 2023. The learned APP waives service of notice on behalf of respondent/State. We have heard the application finally at the admission stage.
2. The applicant was at the relevant time a teacher of the Zilla Parishad School. At the relevant, he was serving in Beed district. Informant was Chairman of Teachers Credit Co-operative Society, Majalgaon. The applicant availed loan of Rs.5 Lakhs from the Credit Co-operative Society, Majalgaon. It is informed that the business activities of this Credit Co-operative Society were limited to its members/teachers serving in Majalgaon Taluka only. The applicant was granted loan admittedly while he was serving in Majalgaon

Taluka. As such, he was rightly granted loan. Thereafter, he was transferred to Parali, another taluka. We failed to understand as to how and what manner the present applicant has committed the crime. The FIR has been lodged simply because the applicant was later on transferred in Parali taluka i.e. beyond jurisdiction of the Credit Co-operative Society. The applicant allegedly became member of another Teachers Credit Co-operative Society stationed at Parali and availed the loan.

3. Be that as it may, the fact remains that the applicant has repaid the entire loan amount. A communication in that regard issued by the Block Development Officer, Panchayat Samitee is placed on record, besides the affidavit of successor in office of the informant (Chairman) of the Teachers Credit Co-operative Society.

4. In the interest of justice, we allow this application in terms of prayer clause "B".

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

sga/