



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 635 OF 2023

RAMESHWAR PANDURANG GADEKAR .. APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Ms. Munira Palanpurwala a/w Ms. Deepa Amati Muttagi and Ms. Bhavna, for the Applicant.
Special Public Prosecutor- Mr. Mahesh Mule a/w Adv. Nidhi Narwekar, for the State.
IO- Ghanvat Sr. Dy. S.P. State CID, Pune present.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 12, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned Special Public Prosecutor for the State.
- 2.** This is an application for bail in respect of the offence punishable under sections 406, 408, 409, 411, 420, 465, 467, 468, 471, 120B, 109 read with 34 of the Indian Penal Code, 1860, under sections 7, 8 and 13(1)(c)(d) of the Prevention of Corruption Act, 1988 registered vide C.R. No. 336 of 2015 with Dahisar Police Station, Mumbai The FIR is dated 18/07/2015. The applicant is

arrested on 29/08/2018.

3. The applicant is the accused no. 16. There are in all 27 accused. 25 accused have been released on bail. The main accused is Ramesh Nagnath Kadam who has been enlarged on bail by an order passed by this Court on 16/03/2023 in Criminal Bail Application No. 2148 of 2022. The said Ramesh is accused no.5.

4. The prosecution case is that the accused no.5 in collusion with other co-accused had misused and abused his position as Chairman of Sahityaratna Lokshahir Annabhau Sathe Development Corporation ('SLASDC', for short) for personal benefits and by creating false documents, misappropriated an amount of Rs.312.26 crores of SLASDC during the tenure from 13/08/2012 to 12/12/2014. Accordingly, FIR came to be registered at Dahisar Police Station vide CR No.336/2015. It is the allegation against accused no.5 that in connivance with accused no. 13 i.e. Amardeep Triloksingh Sethi, who was the director of one Maitri Sugar and Trading Company Pvt. Ltd. by showing a transaction of purchase of one Vinayak Sugar Factory of Vaijapur district Aurangabad from Maitri Sugar and Trading Company Pvt. Ltd., an amount of Rs.30 Crores of SLASDC was transferred in the account of Maitri Sugar and Trading Company Pvt. Ltd., vide

RTGS dated 17/10/2014. It is further alleged that on 15/03/2015 the shares of Maitri Sugar and Trading Company Pvt. Ltd were transferred by accused no. 13 in the name of wanted accused no. 19 i.e. Kamlakar Karna Tekwale and the present applicant/accused for a consideration of Rs.10 lakhs each.

5. The applicant was arrested on 29/08/2018. Considering the main accused and other accused also have been enlarged on bail and also on the ground of long incarceration with no possibility of trial concluding any time soon, the applicant can be enlarged on bail.

6. Learned Special Public Prosecutor opposed the application for bail on merits as well as on the ground that the applicant was absconding for 3 years and that he siphoned a sum of Rs. 5 crores. It needs to be considered that even after the arrest of the applicant, he is in custody for 5 years. The investigation is complete. The charge-sheet has been filed. The applicant can be enlarged on bail by imposing stringent conditions. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Rameshwar Pandurang Gadekar in connection with C.R. No. 336/2015 registered with Dahisar

Police Station shall be released on bail on his furnishing PR. Bond of Rs.1,00,000/- with one or more solvent sureties in the like amount.

(c) The applicant shall report to State CID, Pune twice in a month, every first and third Monday of the month commencing from 18th September 2023 between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

7. The application is disposed of.

(M. S. KARNIK, J.)