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3 At the outset, the learned Counsel for the applicants submits that applicant No. 2 has been arrested. In view of this, nothing survives in this application for applicant No. 2. Hence, Application of applicant No. 2 is disposed of accordingly.

4. On 2nd April, 2021 one of the Director of the Seva Vikas Cooperative Bank Ltd. Lodged FIR at the police station alleging that he happens to be a director during the period 2015 to 2021. That, the Commissioner and Registrar of the Cooperative Societies had directed a test audit of Seva Vikas Bank Ltd. and re-audit of 104 accounts of which audit had already been conducted. The FIR was lodged against the directors, chairman and the other officers of the bank. As far as present applicant No. 1 is concerned, he was working as a clerk with one Pushpa Keswani, who was officiating as a legal adviser in Seva Vikas Bank. It is informed that Ms. Keswani had retired in the year 2017. It is pertinent to note that Ms. Keswani is not an accused in the present case. In fact, the audit is for the period 2015 to 2020.

5 Learned Senior Counsel has drawn attention of this Court to various orders passed by the Division Bench of this court in Writ Petition seeking quashing of FIR where they are protected by an order "No coercive steps be taken against the petitioners." Considering the role attributed to the present applicant and his job-sheet as clerk to the legal officer, the applicant deserves to be protected by way of ad-interim relief.

6 Hence, following order is passed by way of ad-interim relief:

ORDER

(i) By way of ad-interim relief, in the event of arrest in Crime No. 243 of 2021 registered with Pimpri Police Station, the applicant No. 1 Mr. Bhalla @ Mahadev Sable be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

(ii) The applicant No. 1 Mr. Bhalla @ Mahadev Sable shall attend police station as and when called by the Investigating Officer and cooperate with the investigating agency.

(iii) Stand over to 10/6/2021."

This Court by above order has already disposed of the application qua the applicant No.2.

4. The learned APP submits that the applicant No.1 was part of conspiracy and was instrumental in preparing forged documents. It is submitted that considering the nature of offence, the applicant No. 1 may not be released on anticipatory bail.

5. It appears that the applicant No. 1 has filed the Writ Petition, for quashing of the present FIR, being Criminal Writ Petition No. 1760 of 2021. In the said Writ Petition this Court on 20 April 2021, passed the following order-

“6. We have come across various writ petitions pertaining to the affairs of said bank, and it prima facie appears that, the investigating officers are registering the FIR mechanically without verifying that whether the new complaint/complaints are filed on the same set of allegations about same incident, as alleged in the earlier FIR’s or said complaints are about different incidents. As a result, one accused has filed more than one writ petition for quashing the FIR and this Court is over-flooded by such writ petitions on the ground that, on same set of allegations at the instance of different persons, multiple FIR’s have been registered. In that view of the matter we deem it appropriate to impress upon the investigating officers to carefully look into the contents of new complaint/complaints which would be received in future, in respect of affairs of said bank, and then take considered/conscious decision, whether to register the new FIR or consider the said allegations in the FIR already registered on same set of allegations.”

6. The main allegations are against chairman, directors and

officers of the bank. It appears that the applicant No.1 was working as clerk. Even otherwise, in view of the observation of this Court in order dated 20 April 2021, I am inclined to allow the present application. In the result, the following order is passed :

- (i) Application is partly allowed.
- (ii) Interim anticipatory bail granted to the applicant No.1 by order dated 23 April 2021 is hereby confirmed.

(N.R. BORKAR, J.)