

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1031 OF 2023

Raju S. Pawar ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Mr. Rameshwar N. Gite a/w. Mr. Rohit Gorade, Ms Sunita Warang
and Mr Ashwin Pimpale for the the Applicant.
Mrs. Rutuja Ambekar, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 02.05.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.91 of 2023 registered at Ambad Police Station, Nashik for the offences punishable under Sections 23, 29, 31, 32, 39, 45 and 48 of the Maharashtra Money Lending (Regulation) Act, 2014.
3. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.
4. The allegations against the present applicant are of illegally doing the business of money lending.
5. The applicant pursuant to the order passed by this Court dated 19 April 2023 has filed the undertaking. For the ease of

reference, the same is scanned and reproduced below:



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN ITS CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1031 OF 2023

DISTRICT: NASHIK

Shri. Raju Shankar Pawar

Applicants

 V_{S}

The State of Maharashtra

Respondent

UNDERTAKING ON BEHALF OF THE APPLICANT

I, Shri Raju Shankar Pawar, Age - 45 years, Occ: Business R/O:- 1st Floor, Bhakti-sagar, Abhiyanta Nagar, Karnatwada, Nashik, do hereby on solemn affirmation state, declare and undertake as follows.

1. I state that, this Hon'ble court vide its order dated 19th April 2023 has granted interim protection from arrest in respect of offences under sections 23,29,31,32,39,45,48 of the Maharashtra Money Lending Act, 2014 at CR No. II-91/2023 dated 07/02/2023 registered with Ambad Police Station District Nashik wherein the advocate appearing on behalf of the applicant, on instructions from the applicant has submitted for filing undertaking that, no

civil or criminal proceeding will be filed against any of the alleged borrowers or proceedings for dishonor of cheque.

2. Therefore I hereby undertake to this Hon'ble Court that I shall not be initiating any civil or criminal proceeding against any of the alleged borrowers pursuant to registration of the aforementioned First Information Report.

Whatever stated above is true and correct to the best of my knowledge, information and belief and hence, I have signed hereinunder.

This Undertaking solemnly affirmed at Mumbai on 25/04/2023

[Signature]
Applicant

BEFORE ME
[Signature]
BIDHU PANICKER
B.Com., LL.B.
ADVOCATE HIGH COURT
NOTARY (Govt. of India)
Rm: 303; Sandeep Apt., Plot No. A/197,
Sector-20, Near Sada Temple,
Ward (W), Navi Mumbai, Maharashtra.

Notary Reg. Sr. No. 3571/
In Book No. III

25 APR 2023



6. In view of the above undertaking, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicant in C.R. No. 91 of 2023 registered at Ambad Police Station, Nashik for the offences punishable under Sections 23, 29, 31, 32, 39, 45 and 48 of the Maharashtra Money Lending (Regulation) Act, 2014, he be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- C) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

[N.R.BORKAR, J.]