

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

ANTICIPATORY BAIL APPLICATION NO. 1557 OF 2021

Nagesh Dattatray Lagshetti

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Shantanu Phanse for the Applicant.

Mr. S.V.Gavand, APP for the State.

**CORAM : ANUJA PRABHUDESSAI ,J.
DATED : 23rd MARCH, 2023.**

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in C.R.No.114 of 2021 registered with Jail Road Police Station, Solapur for offences under Section 409, 420, 421, 422, 120-B r/w. 34 of the Indian Penal Code.

2. Heard learned Counsel for the Applicant, and learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties .

3. The aforesaid crime was registered pursuant to the FIR lodged by the Manager of Solapur Janata Sahakari Bank Ltd., The allegations in the FIR are that the Applicant had availed loan of Rs.1,05,00,000/- . It is alleged that the property, which was mortgaged towards security of the

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loan was already sold by one Venkatesh Sadul, Radhabai Sadul and Pandurang Sadul for consideration of Rs.4,00,000/- by registered sale deed dated 11.06.2009.

4. This Court, by Order dated 19.07.2021 had granted interim protection to the Applicant and had directed him to report to the Investigating Officer. Learned APP states that pursuant to the said order, the Applicants have reported to the Investigating Officer and they have been interrogated. Learned APP states that the presence of the Applicant is not required for custodial interrogation. Learned APP further states that the investigation is almost completed and that the chargesheet will be filed within a period of 15 to 20 days.

5. Considering the reasons stated in the order dated 19.07.2022 and in view of the statement of the learned APP, in my considered view, this is a fit case to execute discretion under Section 438 Cr. P.C. Hence the interim order stands confirmed.

(i) In the event of arrest of the Applicant in Crime No.C.R.No.114 of 2021 registered with Jail Road Police Station, Solapur, the Applicant Nagesh Dattatray Lagshetti be released on bail on furnishing P.R.Bbond of Rs.50,000/- (Rupees Fifty Thousand Only) with one or two sureties in the like amount;.

(ii) The Applicant shall report to the Investigating Officer, EOW Wing, Solapur as and when required by the Investigating Officer .

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

(iv) The Applicant shall keep the Investigating Officer informed of his current address and mobile/contact details, and/or change of residence or mobile/contact details from time to time.

(ANUJA PRABHUDESSAI, J.)