

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

**ANTICIPATORY BAIL APPLICATION NO. 1430 OF 2023**

Mahesh Navrutti Dhage ..Applicant

vs.

State of Maharashtra ...Respondent

**ALONG WITH  
ANTICIPATORY BAIL APPLICATION NO. 1431 OF 2023**

Aarti Bhaskar Aadmane ..Applicant

vs.

State of Maharashtra ...Respondent

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Mr.Mainak Adhikary – Advocate for Applicant.

Mr.S.R.Agarkar – APP for the Respondent – State.

Mr.Dattatraya Namdev Borate–PI–EOW Branch–Thane Rural District.

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**CORAM : S. M. MODAK, J.**

**DATED : 12TH JUNE 2023**

**P. C. :**

1. In the first session, I have heard learned Advocate for the Applicant and learned APP. The Investigating Officer is present.
2. After hearing the submissions, learned Advocate for the Applicant sought time to take instructions as to whether his client intends to deposit any amount. Hence, matter is kept in the second half.

3. When the matter is called out, learned Advocate for the Applicant argued on merits. No one can deny his right to argue on behalf of his client. It seems that on the point of deposit of any amount, he may not be having any instructions. When this is said, Mr.Adhikary submitted that even though investigation papers suggest that his client has received Rs.35,00,000/-, his client Mr.Dhage is ready to deposit Rs.30,00,000/- if certain time is granted.

4. In the morning itself, it was made clear that if there are materials, this Court will not be impressed by any willingness to deposit any amount. Hence, I have not accepted it.

5. When I have read papers, I am satisfied that there are documents to show involvement of both these Applicants. Their custodial interrogation is required. The investigation is at the preliminary stage. There are 300 investors and they have invested Rs.3,00,000,00/-.

6. This Court is unable to understand the psychology of learned Advocate for the Applicants. Even though in the morning session, learned APP pointed out to me certain materials showing the involvement of the Applicants and learned Advocate is aware about

the same, while dictating the order, learned Advocate submitted that let he be permitted to make out a case for Aarti. Yet the dictation is not complete. Hence, let learned Advocate for the Applicant may again plead his case of Aarti.

7. He submitted that in fact, Aarti was a marketing employee and she has received only Rs.31,000/- till date. She is mother of two children. Whereas, learned APP submitted that the First-Informant as well as other witnesses have stated that the Accused Rupesh Pardhi represented them that he and Aarti are the directors.

8. After reading papers, what is transpired is that there are different schemes floated in the name of Matoshree Agro Multitrade Pvt. Ltd. It seems that even though the Applicant Mahesh is not director of the said Company, everywhere he pretended to the investors and assured them that if they will invest amount in those schemes, he will invest that amount in the scheme relating to agricultural including poultry farming and he will get profit and he will give returns to those investors. It seems that he has disassociated himself for the purpose of record from the business of Matoshri Agro Multitrade Pvt. Ltd., and instead he has opened a Bank account in the name of M.M.Traders. The Bank statement is shown to me. There

are deposits made in that account. The details are collected as to how much amount is transferred in the name of Mahesh, Applicant Aarti, in the name of Jugnu Agro and Resort, in the name of Asha Mahesh Dhage, wife of present Applicant. Even in the name of sister Sujata of the Applicant Mahesh. One more entity is selected for transferring the amount and it is Magare traders belonging to the Applicant Mahesh.

9. Record reveals that even the Applicant has in the year 2021-2022 has paid certain amount towards the consideration of the flat to one builder Patel. There is huge amount transferred in the account of Om Sai Traders belonging to the Applicant.

10. The Applicant Mahesh is selling poultry feed to M.M.Traders and there are invoices. Furthermore, he tried to contend that the Applicant Mahesh is advertising the schemes of the Government issued in the name and style of National Livestock Mission. He produced that brochure.

11. Furthermore, he submitted that there is a deed of settlement executed in between M/s. Matoshri Agro Multitrade Pvt. Ltd., through Rupesh Pardhi with one Megha Waghmare wherein, Megha Waghmare has agreed to invest in the schemes. It is produced in

order to show that in fact, it is Rupesh who has done all these misdeeds and the Applicants are not concerned.

12. Learned APP submitted that in fact statements of witnesses reveal that the Applicant Mahesh has represented himself as a Government Officer and he has induced various investors to invest in those schemes. Furthermore, investigation papers consist of various newspaper articles and photographs which show that both these Applicants, director Mahesh have attended the function and those were organized in order to encourage the investors.

13. There is an advertisement leaflet which shows that present Applicant Aarti is shown as a director along with the Co-accused Rupesh. Be that it may, there are statements of witnesses which show the involvement of both these Applicants thereby inducing the investors and their Bank statements which show that both these Applicants are receivers of the money.

14. For the above discussion no case for anticipatory bail is made out. Their custodial interrogation is required. Hence, both the Applications are rejected.

15. Applications are disposed of accordingly.

16. All the parties to act on an authenticated copy of this order.

17. These are my *prima facie* observations. Let learned trial Court need not be influenced by them.

**[S. M. MODAK, J.]**