

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

ANTICIPATORY BAIL APPLICATION NO. 1894 OF 2023

1. Mr. Parmeshwar Tatyaba Pawar	
2. Mr. Ganpat Savala Mohite @ Ganpatrao	
3. Mrs. Kanchan Parmeshwar Pawar	... Applicants
v/s.	
The State of Maharashtra	 Respondent

Mr. Sandesh Patil a/w. Mr. Prithviraj Gole for the Applicants.
Mr. R.M. Pethe, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 07th JULY, 2023.

P. C. :-

1. The Applicants apprehend their arrest in C.R.No.366/2023 registered with M.I.D.C. Police Station, Mumbai for offences punishable under sections 120-B, 420, 467, 468, 471 of the Indian Penal Code.

2. Heard learned counsel for the Applicants 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 order under section 156(3) passed by the learned JMFC, Andheri, Mumbai on an application/complaint filed by Nathrao Ramchandra Gomare. The

records reveal that the complainant as well as the Applicants were the office bearers of Bhairavnath Co-operative Credit Society since 2011. It is stated that the complainant who was the Chairman, was ousted in January, 2022 and these Applicants being Treasurer, Secretary and Joint Secretary continued to be the members till January, 2023. The Complainant lodged a complaint in February, 2023 alleging that the Applicant No.1 who was the Treasurer had forged his signature in the year 2018. It is also alleged that the Applicants had also forged his signature on 09 cheques referred to in the complaint as well as in the FIR. These cheques were issued from March, 2022 till November, 2022.

4. Learned counsel for the Applicants has placed before me a chart which indicates that cheque nos.000062 and 000063 were issued in the name of Mrs. Kamal Nathrao Gomare, the wife of the Complainant whereas the other two cheques being cheque nos.019475 and 019479 were issued in favour of Society – Shamrao Vitthal Co-operative Bank Limited towards term deposit. Similarly, cheque nos.019476 and 019472 amounting to Rs.20,000/- and Rs.13,000/- respectively were issued towards return of fixed deposit. Cheque Nos.019474, 019477 and 019478 were issued in favour of Mangesh Jadhav, Kamlesh Singh

and Ramdhar Gautam respectively towards loan. Prima facie, the Applicants were not the beneficiary of the alleged fraud.

5. Having considered the above facts and circumstances, in my considered view, this is not a case which would justify custodial interrogation. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicants in C.R.No.366/2023 registered with M.I.D.C. Police Station, Mumbai, they shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- each with one or two sureties in the like amount ;

(b) The Applicants shall report to the Investigating Officer for two days i.e., on 11/07/2023 and 12/07/2023 between 11:00 a.m. to 02:00 p.m. and further as and when required by the Investigating Officer ;

(c) The Applicants shall not interfere with the complainant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the

complainant, witnesses or any person concerned with the case in any manner ;

(d) The Applicants shall keep the Investigating Officer informed of their current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

6. The Application stands disposed of.

**PREETI
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(SMT. ANUJA PRABHUDESSAI, J.)