



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 763 OF 2023

(MOHAN ANAND GANORKAR

VS

THE STATE OF MAH. THR. PSO PS SHEGAON RURAL DIST. BULDHANA)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. M. N. Ali, Advocate for applicant.

Mr. M. J. Khan, APP for respondent State.

CORAM : M. W. CHANDWANI, J.

DATE : 07/09/2023

By the present application, the applicant is seeking regular bail in Crime No.105/2023, for the offence punishable under Sections 420, 406, 409, 506, 507 and 120-B of the Indian Penal Code, 1860, registered at Police Station Shegaon (Rural), District Buldhana.

2. Heard learned counsel for the applicant, as well as learned APP for respondent State.

3. I have gone through the charge-sheet. The case of the prosecution is that main accused Rahul Chaudhari on the pretext to give good market rate for the grains, purchased 530 quintal gram from the complainant Akhilesh Subhash Shelke. On the next day main accused Rahul Chaudhari issued cheque to

the complainant for Rs.27,75,000/- and he was asked to honour the said cheque after 4 – 5 days.

4. When the cheque was desposited to the bank for encashment, the same was dishonoured for want of sufficient fund. On contacting repeatedly, the main accused Rahul Chaudhari, he did not reply positively. Later on the complainant came to know that accused Rahul Chaudhari has also purchased agricultural products from various other persons and issued cheques to them, which were also dishonoured for want of sufficient fund in the his account. According to prosecution, he has cheated the complainant and other villagers therefore, the informant lodged the complaint in Police Station alleging that the main accused cheated the informant and other villagers to the tune of Rs.85,51,810/-.

5. During the investigation it was revealed that he duped persons of other village also and in all he duped various villagers to the tune of Rs.2 Crores and odd.

6. It is alleged that the present applicant along with main accused Rahul Chaudhari cheated in all 63 farmers to the tune of Rs.2 Crores and some odd amount. It is also alleged that from the said

amount the present applicant has purchased various vehicles in his name and in the name of other accused Rajesh Nimbalkar.

7. It appears from the charge-sheet that the present applicant used to carry grams from the villagers and he also used to deal with the villagers on behalf of main accused Rahul Chaudhari. The cheques were issued to the farmers by the main accused Rahul Chaudhari. The role of the present applicant is shown as carrier of the agricultural products from villagers, whereas the main role is assigned to accused Rahul Chaudhari.

8. There are allegations against the present applicant that some of the amount of the crime proceeds was taken by him and purchased the vehicles. The vehicles which were allegedly purchased by the applicant have already been seized in this crime. Investigation is almost completed with regard to the present applicant. Nothing is required to be seized from the present applicant.

9. Considering the nature of allegations against the present applicant, a case is made out for grant of bail in favour of the applicant. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant shall be released on bail on furnishing PR bond of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety in the like amount.
- (c) The applicant shall regularly attend the trial Court and cooperate the learned trial Court to complete the trial for the above offence. The applicant shall not seek adjournments, except under extreme circumstances to the satisfaction of the trial Court.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any Police Officer.
- (e) In case of breach of any conditions, the learned trial Court is at liberty to cancel the bail after giving opportunity of hearing to both the sides.

Application is disposed of.

[M. W. CHANDWANI J.]