



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

948 ANTICIPATORY BAIL APPLICATION NO. 226 OF 2024

Prakash Madhavrao Sirgire

VERSUS

The Superintendent Of Police and another

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Advocate for Applicant : Mr. Manoj D. Shinde

APP for Respondents: Mr. B.B. Bhise

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CORAM : SHIVKUMAR DIGE, J.

DATED : 29th AUGUST, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No. 55 of 2016 registered with Loha Police Station, district Nanded, for the offence punishable under Section 420 of the Indian Penal Code.

2. It is the prosecution's case that the applicant runs a chit fund. It is alleged that the applicant induced the informant to deposit the amount in the said chit fund and he will give attractive interest on it. On the say of the applicant, the informant deposited the amount of Rs.80,000/- in the chit fund but the applicant did not return the amount with interest. Hence, the complaint is filed against the applicant.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The chit fund is run by other persons. The applicant has returned the amount of

Rs.80,000/- to the informant. The matter is settled between the parties. The learned advocate has tendered copy of affidavit of the informant, which is taken on record. The informant is present in the Court. The informant submitted that the learned A.P.P. verified the Aadhaar card of the informant. The informant submitted that he has received the amount and he has no objection to allow the application.

4. The learned A.P.P. submitted that appropriate order be passed.

5. Considering the submissions of both the learned counsel, the allegations against the applicant are that he has induced the informant to deposit Rs.80,000/- in the chit fund but now the informant has received the said amount. Considering the allegations against the applicant and that the informant has received the amount, the custodial interrogation of the applicant is not required and I pass the following order :-

ORDER

- (i) The application is allowed.
- (ii) The interim anticipatory bail granted to the applicant vide order dated 15.2.2024 stands confirmed on the same terms and conditions.

(SHIVKUMAR DIGE, J.)