



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

961 ANTICIPATORY BAIL APPLICATION NO. 1075 OF 2024

Sumitra Narayan Gundekar

VERSUS

The State of Maharashtra and another

...

Advocate for Applicant : Mr. Sarvesh J. Naik

APP for Respondents: Mrs. D.S. Jape

.....

CORAM : SHIVKUMAR DIGE, J.
DATED : 5th SEPTEMBER, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No. 697 of 2018 registered with Jamkhed Police Station, district Ahmednagar, for the offences punishable under Sections 420, 409, 406, 467, 120-B and 34 of I.P.C. and section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999.

2. It is the prosecution's case that the applicant has given her premises situated at Jamkhed on rent to Parivartan Urban Multi State Co-operative Credit Society Limited, Majalgaon, of which the applicant is one of the director. The Chairman, Secretary, the Directors and the employees of the said society lured the informant and other peoples in that area to deposit the money in their society.

It is alleged that they assured the informant and other investors of attractive interest rate on the said deposits. It is alleged that the informant and other investors deposited the amount in the said society at Jamkhed Branch, which is in the premises of the applicant, but the said society did not return the said amount as promised. Hence, offence under the above referred sections is registered against the applicant and others.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. She never lured the informant or the other investors at Jamkhed to deposit the amount in the said credit society. The allegations against the applicant are that she is one of the director of the said society and she has given her premises on rent to the society to open its branch. The Chairman, Secretary and other directors of the said society have been released on bail. Considering the allegations against the applicant, her custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicant has given her premises on rent to the society to open its branch at Jamkhed. The applicant is one of the director of the said society. The office bearers of the said society lured the informant and other

investors in that area to deposit the amount in that credit society with assurance that they will give attractive returns on their investment. Accordingly, the informant and other investors deposited the amount but those amounts are not returned to them. The informant and other investors have been cheated by the credit society which is situated in the premises of the applicant. Considering the allegations against the applicant, her custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that she is one of the director of the said society and she has given her premises on rent to the said society to open its branch at Jamkhed. The said credit society has duped the informant and the other investors. The Chairman of the said credit society has been released on regular bail whereas the other directors have been released on anticipatory bail by the Sessions Court. The police have seized all documents. The provisions of M.P.I.D. Act is applied against all accused including the applicant. Considering all these facts, the custodial interrogation of the applicant is not required and I pass the following order :-

ORDER

(i) The application is allowed.

(ii) In the event of arrest of the applicant in connection with crime No.697 of 2018 registered with Jamkhed Police Station, district Ahmednagar, for the offences punishable under Sections 420, 409, 406, 467, 120-B and 34 of I.P.C. and section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999, she be released on executing personal bond in the sum of Rs.20,000/- with one surety of the like amount, on the following condition :-

(a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)

rlj/