

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION (APL) NO. 704 OF 2024

Tukaram Yashwant Kapse & Anr. ...Applicants

Vs.

The State of Maharashtra & Anr. ...Respondents

Mr. Laxman Kalel for the Applicants.

Mr. A. S. Shalgaonkar, APP for the Respondent-State.

CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.

DATE : 18th JUNE 2024

P.C.:-

1) Record *prima-facie* indicates that, the principal Accused viz. Bapusaheb Tukaram Kapse has passed away. The alleged amounts paid by the Informant were transferred in the account of accused-Bapusaheb Tukaram Kapse. Applicant No. 1 was the Nominee of said bank account and after the demise of his son, he has utilized certain amounts from the said account, being Nominee. *Prima-facie* it appears that, the Applicants have no direct role to play in the present crime.

In view thereof, admit.

2) As and by way of interim relief, we direct that the investigation of crime to continue, however, the Investigating Agency shall not file charge-sheet without prior leave of this Court.

(DR. NEELA GOKHALE, J.)

(A. S. GADKARI, J.)