

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

ANTICIPATORY BAIL APPLICATION NO. 378 OF 2024

Digvijay Kamlesh Kumar Singh	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 407 OF 2024**

Dnyaneshwar s/o Anandrao Mane	...	Applicant
Versus		
The State of Maharashtra & Anr.	...	Respondents

Mr. Ganesh Gupta a/w Sahil Ghorpade, Roshni Naaz, Madan Khansole, Surya P. Gupta and Priyanka Rathod i/by G. G. Legal Associates for the Applicant in ABA/378/2024.

Mr. Dheeraj Patil i/by Prashant P. Giri for the Applicant in ABA/407/2024.

Mr. Mayur S. Sonavane, APP for Respondent-State.

Mr. D. M. Waghmare, API, EOW, Pune.

**CORAM: MANISH PITALE, J.
DATE : 2nd DECEMBER 2024**

P.C. :

. Heard learned counsel for the applicants and learned APP for the respondent-State.

2. The applicants have approached this Court by these applications, as they apprehend arrest in connection with FIR No. 284 of 2023 dated 8th November 2023 registered at Sahakar Nagar Police Station, Pune City, for offences under Section 406 and 420 read with 34 of the Indian Penal Code, 1860 (IPC), as

also under the provisions of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (MPID Act).

3. On 23rd February 2024, this Court (Coram: Sarang V. Kotwal, J.), heard both these applications and after recording the rival submissions, granted interim relief to the applicants. In paragraph 9 of the said order, following observation was made :

“9. I have considered these submissions. At this stage, there is some substance in the submission of both the learned counsel for the applicants. However, it would be pre-mature to record any definite finding. As far as, both these applicants are concerned, it is necessary for the investigating agency to have an opportunity to confront both these applicants with the material against them, so that, the investigation can progress further. Therefore, at this stage, the applicants can be protected by ad-interim protection with direction to them to co-operate with the investigation.”

4. The learned APP informs this Court that in terms of the directions issued in the said order, the applicants indeed appeared before the Investigating Authority and that they have co-operated with the investigation.

5. The record shows that applicant-Digvijay Singh was an employee of the company. The first informant had deposited certain amounts in the account of the company on inducement of attractive returns. It is also found that the allegation against the applicant-Dnyaneshwar Mane is that he had repeatedly contacted the first informant in order to induce him to make such investments.

6. It is found that investigation has not led to any material showing that substantial amounts found way to both the applicants. In the context of applicant-Dnyaneshwar Mane, the learned APP has brought to the notice of this Court that amount of Rs.76,000/- could be said to have been transferred to him. This is found to a minuscule amount as compared to the extent of financial scam unearthed in this particular case. As regard applicant-Digvijay Singh, it appears that only salary amounts were transferred into his account.

7. In such a situation, particularly when the applicants have been enjoying interim relief in terms of order dated 23rd February 2024 and they have co-operated with the investigation, this Court is inclined to allow the present applications.

8. In view of the above, interim order dated 23rd February 2024 is confirmed and the applications are allowed, subject to the applicants continuing to co-operate with the investigation. They shall not influence the informant, witnesses or any person concerned with the case and they shall not tamper with the evidence.

9. In view of the disposal of the anticipatory bail application, the interim application also stands disposed of.

MANISH PITALE, J.