

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

ANTICIPATORY BAIL APPLICATION NO. 1166 OF 2024

Atul Vishwanath Behre	..Applicant
Versus	
The State of Maharashtra	..Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 1186 OF 2024**

Uday Trimbak Joshi	..Applicant
Versus	
The State of Maharashtra	..Respondent

Mr. Samir A. Vaidya a/w. Kevin Gala for Applicant in ABA/1166/2024.
Mr. Satyavrat Joshi i/b. Samay Pawar for Applicant in ABA/1186/2024.
Smt. M. H. Mhatre, APP for State/Respondent in ABA/1166/2024.
Mr. Avinash A. Naik, APP for State/Respondent in ABA/1186/2024.

**CORAM :- SARANG V. KOTWAL, J.
DATE :- 3 MAY 2024**

P.C. :-

1. In both these applications, today a common order is passed because they arise out of the same registered offence.

2. The Applicants are seeking anticipatory bail in connection with C.R.No.13 of 2024 registered at Vishrambaug Police Station, Pune city, on 25.01.2024, under Sections 409, 420, 467, 468 and 471 r/w. 34 of the Indian Penal Code.

3. Heard Mr. Samir Vaidya, learned counsel for the Applicant in ABA/1166/2024, Mr. Satyavrat Joshi, learned counsel for the Applicant in ABA/1186/2024, Smt. Mhatre, learned APP for State/Respondent in ABA/1166/2024 and Mr. Avinash Naik, learned APP for the State/Respondent in ABA/1186/2024.

4. The F.I.R. is lodged by one Tanaji More. He was working with M/s. Shriram Gas Agency, at Vadgaon, Pune. The applicant Atul Behre and one Mayuresh Joshi i.e. the son of the applicant Uday Joshi were the partners of that gas agency. It is alleged that, in March 2023, he received a recovery notice under Maharashtra Co-operative Societies Act for recovery of more than Rs.1,24,00,000/-. He made enquiries. He came to know that loan was obtained by Shriram Gas Agency and the informant, as well as, one Gitanjali Samudre working with the same agency were shown as the guarantors. He made further enquiries. That gas agency had taken loan of Rs.77 lakhs in the year 2019 from one Ninad Nagri Sahakari Patsanstha. That loan application was signed by Mayuresh Joshi. The informant and Gitanjali Samudre as guarantors had put their signatures on that document. The

informant's documents in the nature of Aadhar card, PAN card etc. were annexed to that application. According to the first informant, he had not signed that application as a guarantor and, hence, the offence is committed. He has also stated that, in May 2023, he had received the second notice. He asked Mayuresh Joshi about it, who had assured the informant that the matter would be taken care of. The applicant Uday Joshi was the Chairman of the said co-operative society.

5. Learned counsel for the applicant Atul submitted that the main accused Mayuresh Joshi was arrested. He had preferred bail application before the J.M.F.C., Court No.4, Pune. He was granted bail. During the hearing of that bail application the informant had filed an affidavit mentioning that he did not remember whether he had signed that loan application or not, but he had filed this F.I.R. on some misunderstanding. Taking that affidavit into consideration, bail was granted to Mayuresh Joshi. Learned counsel, therefore, submitted that the applicant Atul is falsely implicated as per the informant's own affidavit filed before the said Court.

6. As far as, the applicant Uday is concerned, learned counsel submitted that, he is a senior citizen and he is willing to co-operate with the investigation. The main allegations are against the gas agency.

7. Learned APP submitted that the investigation is in progress. If the applicants are to be protected by way of ad-interim relief, they be directed to attend the concerned police station.

8. I have considered these submissions. At this stage, the applicants can be protected by way of ad-interim relief based on the submissions made by the learned counsel for the applicants. The investigation can proceed further. The applicants can be protected till the next date.

9. Hence, the following order.

ORDER

- i) In the event of their arrest in connection with C.R.No.13 of 2024 registered at Vishrambaug Police Station, Pune city, till the next date, the Applicants are directed to be released on bail on

their executing P. R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.

- ii) This order shall operate till 28/06/2024.
- iii) The Applicants shall attend the concerned Police Station as and when called and shall cooperate with the investigation.
- iv) Stand over to 28/06/2024.

(SARANG V. KOTWAL, J.)