

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

ANTICIPATORY BAIL APPLICATION NO.1292 OF 2024

Sanjeev Ramesh Raje	 Applicant
versus	
The State of Maharashtra	 Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.1294 OF 2024**

Prachi Ravindra Jayawant	 Applicant
versus	
The State of Maharashtra	 Respondent

.....

- Mr. Subodh Desai i/b. Kartik Garg, Advocate for Applicant in both ABAs.
- Smt. Madhavi H. Mhatre, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 08th 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.425/2024, dated 04/04/2024, registered with Wakad Police Station, Pimpri-Chinchwad, under

sections 406, 409, 420, 465, 467, 471, 506 r/w 34 of the Indian Penal Code.

3. Heard Mr. Subodh Desai, learned counsel for the Applicants and Smt. Madhavi H. Mhatre, learned APP for the State.

4. The FIR is lodged by one Sandip Bansude. He was working as a Business Development Director with Tomsa Distill India Pvt. Ltd. (TDIPL). The allegations are in respect of misappropriation of money committed on behalf of Dhaval Distill Evap Pvt. Ltd. (DDEPL). In the initial part of the FIR relation between these two companies is explained. However, the subject matter of the FIR is the contract which TDIPL had received from Assam Bio Refinery Pvt. Ltd. (ABRPL) in the year 2020. The company DDEPL was appointed to carry out the work in the nature of sub-contracts of TDIPL. Both the Applicants were the Directors of DDEPL. The allegations in the FIR are mainly directed against one Ravindra Bhaskar Jayawant, who is husband of the Applicant Prachi Jayawant.

5. The FIR goes on to mention various instances in which the higher amounts of TDIPL were misappropriated by submitting invoices at higher amounts, but purchasing less material than shown in the invoices etc. The allegations are that DDEPL had accepted Rs.26,28,13,652/-. Out of which, the necessary machinery was purchased of only Rs.5,83,31,982/- and rest of the amount was misappropriated.
6. Learned counsel for the Applicants submitted that there was no misappropriation. The invoices were raised in respect of the machinery, which was actually purchased. All those purchases and the completion of part of the project was approved by the other approved company accepted by ABRPL and therefore there is no misappropriation at all. He further submitted that both the Applicants are not connected with the actual implementation of the work. They were merely Directors of the said DDEPL. There are no specific allegations against them. There is nothing to show that both of them were beneficiaries in this particular transaction. All the allegations are

directed specifically against the Applicant Prachi's husband Ravindra. He further submitted that the Applicants be given one opportunity to explain these facts before the investigating agency.

7. Learned APP will have to respond to these submissions made by the learned counsel for the Applicants today. From the submissions of the learned counsel for the Applicants, I am inclined to grant one opportunity to the Applicants to explain their stand. The Applicant Prachi is a lady and is wife of the main accused Ravindra. There are no specific allegations at least in the FIR against other Applicant Sanjeev. Therefore, both these Applicants can be protected by way of ad-interim relief.

8. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.425/2024, dated 04/04/2024, registered with Wakad Police Station, Pimpri-Chinchwad,

till the next date, the Applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) each, with one or two sureties each, in the like amount.

- (ii) The Applicants shall attend the concerned Police Station on 27/05/2024, 28/05/2024 and 29/05/2024 between 01.00 p.m. to 05.00 p.m. and thereafter as and when called and shall cooperate with the investigation.
- (iii) This order shall operate till 05/07/2024.
- (iv) Stand over to 05/07/2024.

(SARANG V. KOTWAL, J.)