

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2023 OF 2024**

Shankar Nagappa Ghewari ... Applicant

vs.

The State of Maharashtra ... Respondent

Mr. Satyavrat Joshi (through video-conferencing) a/w. Mr. Ishan Paradkar,
i/b. Reena Prajapati for applicant.

Mr. Balraj B. Kulkarni, APP for respondent-State.

CORAM : MANISH PITALE, J.

DATE : 11th NOVEMBER, 2024

P.C. :

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

2. On 31.07.2024, while granting interim relief in favour of the applicant, this Court had imposed specific conditions on the applicant, including a direction to co-operate with the investigating officer.

3. In the said order dated 31.07.2024, while granting interim relief, this Court had recorded the following reasons:

“5. But, this Court is inclined to grant interim order in favour of the applicant till the investigation papers are produced for perusal of this Court, for the following reasons:

- a. The applicant is only one of the co-opted directors of the said credit co-operative society. A general allegation is indeed made against the entire body of the Board of Directors, but specific allegation as to an overt act against the applicant is not found in the statement of the informant, who is an auditor of the said credit co-operative society;
- b. There does not appear to be any material to indicate any illegal financial gain to the applicant in the

context of the said offences;

- c. The period during which the said activities were allegedly undertaken is from the year 2011 to 2022, while the applicant was a co-opted director only for a period between 02.05.2015 and 12.06.2022;
- d. The applicant is a senior citizen, aged about 79 years.”

4. This Court had further taken note of the fact that certain documents were tendered on behalf of the applicant to show that he had undergone surgery for treatment of fistula.

5. The learned APP submitted on written instructions of the investigating officer that the applicant had indeed co-operated with the investigation. He submitted copies of his bank account statement as well as other relevant documents and also gave sample signatures during the course of investigation.

6. The reasons recorded in the order dated 31.07.2024 hold good for allowing the application itself, particularly in the light of the fact that the applicant has abided by the conditions imposed by this Court in the order dated 31.07.2024 and he also co-operated with the investigation.

7. In view of the above, the interim order is confirmed and the application is allowed.

8. The applicant shall continue to co-operate with the investigation. He shall not tamper with the evidence of the prosecution in any manner. He shall also not influence the informant, witnesses and other persons concerned with the case.

(MANISH PITALE, J)