



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.35 OF 2024
(Jagdish Ramprasad Khobragade Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms A.M. Telange, Advocate for the applicant.
Mr. V.A. Thakare, A.PP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- FEBRUARY 14, 2024.

Heard.

2. By this application, the applicant is seeking anticipatory bail in respect of Crime No.421/2023 registered with Police Station Salekasa, Tq. Salekasa, District Gondia for offences punishable Sections 406, 409, 420, 468 and 471 of the Indian Penal Code.

3. The applicant is apprehending his arrest at the hands of the police as crime is registered on the basis of report lodged by Vijay Kewalram Motghare alleging that he is a Deputy Account Inspector of Cooperative Society, Nagpur and presently working as a District Special Account Inspector. On 09/03/2022, he has received the communication from the office of District Deputy Registrar Cooperative Society, Gondia for the inspection of Salekasa Adarsh Gramin Bigar Sheti Sahakari Sanstha Ltd. for the year 2012-13 and 2013-2014. On inspection, he found that one Sanjaykumar Laxmiprasad Shriwastava was

appointed an agent of the said society and he has collected the amount from the depositors and not deposited the same. It further revealed that he has misappropriated the said amount to the tune of Rs.10,14,895/-. Present applicant is working as a Secretary of the said society and he has prepared the voucher of Rs. 1,00,000/- to deposit as a security deposit. The entry is taken in the cash book register but he has not deposited the said amount and misappropriated the amount of Rs.1,00,000/-. On the basis of said report, police have registered the crime against the present applicant.

4. Learned Counsel for the applicant submitted that now applicant has already deposited the said amount. His custodial interrogation is not required. As far as interrogation part is concerned, the applicant will cooperate with the investigating agency. In view of that, he be protected by granting anticipatory bail.

5. Learned Additional Public Prosecutor strongly opposed the application on the ground that the offence is of a serious nature. The applicant has misappropriated the public money, and therefore, the custodial interrogation is required.

6. I have heard learned counsel for the parties. Perused the investigation papers. It reveals that the allegation against the present applicant that he has

misappropriated the amount of Rs.1,00,000/- which subsequently he has deposited. The custodial interrogation of the present applicant was required only for the purpose of recovery of the amount. Now, he has already deposited the amount of Rs.1,00,000/-, therefore, his custodial interrogation is not required. As far as the interrogation part is concerned, some conditions can be imposed on him. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

(i) The criminal application is allowed.

(ii) In the event of arrest, the applicant – Jagdish Ramprasad Khobragade in connection with Crime No.421/2023 registered with Police Station Salekasa, Tq. Salekasa, District Gondia for offences punishable Sections 406, 409, 420, 468 and 471 of the Indian Penal Code, be released on anticipatory bail on executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety, in the like amount.

(iii) The applicant shall attend the concerned police station as and when required for the investigation purpose and shall cooperate with the investigating agency.

(iv) The applicant shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*