



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

CRIMINAL APPLICATION (ABA) NO.808 OF 2024
(Shri Rajesh Ramesh Rahangdale 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

Mr. A.N. Shinde, Advocate for the applicant.
Ms K. Bhondge, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- DECEMBER 18, 2024

Apprehending the arrest at the hands of police in connection with Crime No.290/2024 registered with Police Station Pauni, District Bhandara for the offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code and Section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 and Sections 21 and 22 of the Banning of Unregulated Deposit Schemes Act, 2019, the applicant approached this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicant submitted that the present applicant is the Agent and the crime is registered on the basis of report lodged by the Pravin Saoji Mundale on an allegation that the co-accused Anil Ganpat Choudhary introduced them the "My Secure Life" company and induced them to invest the amount on the promise that they would get handsome returns and also taken them at Goa and insisted them to invest the amount.

Accordingly, he as well as the other investors have invested the amount. Initially, they have received the returns but subsequently they have not received the returns, and therefore, they approached to the present applicant who was the Agent and collecting the investments on behalf of the co-accused. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that the applicant was working as Agent and the recitals of the FIR itself shows that the present applicant was also taking efforts to receive the amount back of the investors, therefore, there was no intention of the present applicant to dupe the investors and now investigation is completed, his custodial interrogation is not required. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the application and submitted that the investigation papers shows that the applicant was appointed as an Agent and induced the other investors to invest the amount. In view of that, the custodial interrogation of the applicant is required.

5. I have heard learned Counsel for both the sides. Perused the investigation papers from which it reveals that the applicant was appointed as an Agent by the other co-accused and only role attributed to him is that he was collecting the money for the co-accused. As far

as the recitals of the FIR shows that the applicant has also taken efforts to recover the amount of the investors which was invested by them. Thus, considering the role attributed to the present applicant, he has made out a case for grant of anticipatory bail. Accordingly, I proceed to pass following order:

(i) The application is allowed.

(ii) In the event of arrest, the applicant – Shri Rajesh Ramesh Rahangdale in connection with Crime No.290/2024 registered with Police Station Pauni, District Bhandara for the offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code and Section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 and Sections 21 and 22 of the Banning of Unregulated Deposit Schemes Act, 2019, be released on anticipatory bail, on executing PR. 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 and the Investigating Officer shall issue 7

days notice in advance if he requires the presence of the present applicant for the investigation purpose.

(vi) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

6. The contravention of any of the condition would lead to the cancellation of bail.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*