



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**910 ANTICIPATORY BAIL APPLICATION NO. 878 OF 2024
SUREKHA W/O. AJAY BABHULGAONKAR
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Pradip Narayanrao Sonpethkar
APP for Respondent/State: Mr. S. P. Sonpawale
Advocate for Assist to PP : Mr. Mahesh P. Kale

...
WITH
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**ANTICIPATORY BAIL APPLICATION NO. 488 OF 2024
YOGESH EKNATH BHALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr. Salunke Vasant Digambarrao
APP for Respondent/State: Mr. S. P. Sonpawale
Advocate for Assist to PP : Mr. Mahesh P. Kale

...
WITH
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**ANTICIPATORY BAIL APPLICATION NO. 518 OF 2024
GANESH TRIMBAK SHELKE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant :
Mr. P. N. Sonpethkar h/f. Mr. Madhav C. Ghode
APP for Respondent/State: Mr. S. P. Sonpawale
Advocate for Assist to PP : Mr. Mahesh P. Kale

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WITH
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ANTICIPATORY BAIL APPLICATION NO. 520 OF 2024**POPAT SHIVAJI AWAD****VERSUS****THE STATE OF MAHARASHTRA AND ANOTHER**

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Advocate for Applicant :

Mr. K. S. Solanke h/f. Mr. Naik Sarvesh Jaipal

APP for Respondent/State: Mr. S. P. Sonpawale

Advocate for Assist to PP : Mr. Mahesh P. Kale

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CORAM : ARUN R. PEDNEKER, J.**DATE : 18.03.2025****P.C. :**

1] Heard learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants are apprehending arrest in connection with Crime No.17/2024, dated 24.01.2024, registered at Majalgaon City Police Station, District Beed, for the offences punishable under Sections 420, 409, 467, 468 and 34 of the Indian Penal Code read with Section 3 and 4 of the MPID Act.

3] This court by order dated 26.03.2024 in ABA/488/2024 & by order dated 29.04.2024 in ABA/518/2024 and ABA/520/2024 granted interim protection to the applicants.

4] The case noted in the FIR is that the Chairman - Satish Sawant had approached the informant and lured the informant to invest in the Marathwada Urban Cooperative Credit Society Limited, Majalgaon (*for brevity 'Credit Society'*), promising that, in the event of deposit of amount in the Credit Society the informant would get 18% interest, which is higher than other cooperative credit societies. Believing the aforesaid, the informant deposited over the period of time an amount of Rs.57,000/-. Thereafter, an Administrator was appointed on the Credit Society. When the informant approached the Administrator, the Administrator informed him that after recovery of disbursed loan amounts of the Credit Society, the amounts will be repaid to the informant. In the FIR allegations are made against Satish Sawant – Chairman and general allegations are made against the Gajanan Dasalkar – Chief Executive Officer and all the other members of the Board of Directors and employees of the Credit Society for having cheated the applicant for Rs.57,00,000/-.

5] The learned counsel for the applicant submits that Mr. Satish Sawant – Chairman is already arrested.

6] The learned APP submits that the forensic audit is being conducted and the role of the respective applicants will not be attributable unless the forensic audit is concluded.

7] Considering the above and prima facie the FIR is specific against Satish Sawant – Chairman and general against Gajanan Dasalkar – Chief Executive Officer and all the other members of the Board of Directors and employees of the Credit Society and without any specification from the forensic report and this court after having granted interim protection, the applicants have attended the concerned police station and the offence is overall documentary in nature, this court deem it appropriate in absence of specific role being attributable to the applicants and in absence of forensic audits, so also, there is no direct allegations against the present applicants, the interim protection granted earlier can be confirmed.

8] In ABA/878/2024, Mr. P. N. Sonpethkar, learned counsel for the applicant submits that there was oral direction not to arrest and he submits that the applicant would attend the concerned police station as and when called.

9] In view of the above, in ABA/488/2024, ABA/518/2024 and ABA/520/2024, the interim protection granted by orders dated 26.03.2024 and 29.04.2024 stands confirmed, on the following terms:

- i] The applicants shall attend the police station as and when required by the Investigating Officer.

ii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

10] In ABA/878/2024, the applicant is granted anticipatory bail on the same terms and conditions as directed by order dated 26.03.2024 and 29.04.2024, except the condition of attending the concerned police station on the specific dates, and, in lieu of that, with the above mentioned terms.

11] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

12] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail applications and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

13] The applications stand disposed of.

[ARUN R. PEDNEKER]
JUDGE