



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1704 OF 2025

Shriram Balasaheb Funde
Versus
The State of Maharashtra

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Advocate for the applicant: Mr. R.B Dhakane
A.P.P. for respondent State: Mr. R.S. Wani
Advocate for assist the A.P.P. : Mr. N.B. Narwade

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CORAM : SANJAY A. DESHMUKH, J.
DATE OF RESERVING THE : 08.10.2025
ORDER
DATE OF PRONOUNCING : 17.10.2025
ORDER

ORDER :-

1. This application is filed for grant of regular bail under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with crime No. 82 of 2025 registered with Tofkhana police station, district Ahilyanagar for the offences punishable under sections 316(2), 316(4), 318(2), 3(5) and added Sections 338, 340(2) and 344 of Bhartiya Nyaya Sanhita, 2023.

2. Learned advocate for the applicant pointed out the report, in which it is averred by the informant that he is a Civil Engineer and a Government Contractor, running S.R. constructions. The applicant was serving with him since 2017. Taking into consideration his performance

of work, he was promoted and was assigned the work of maintaining the accounts and bank transactions of the said business, from 2018-2019. The applicant was authorized to do all works required for the office alongwith some assistants. In the month of July, 2024, the applicant and other employees were tallying the opening and closing balance, but it was not tallied. The informant has been suffering from cancer since 2012. Therefore, he believed the applicant and other staff members. The applicant took disadvantage of that position, and he transferred the amount to his own name, in the names of his wife and relatives. It transpired that the applicant has duped the informant for total amount of Rs.1,26,13,327.00. Therefore, the report is lodged.

3. Learned advocate for the applicant submitted that the applicant has roots in society. He has been falsely implicated in the crime. He will not flee away from the trial. The trial will take a long period. The learned advocate submitted that the applicant and his family members were compelled to execute some documents in their favour. Considering all these reasons, it is lastly prayed to allow the application.

4. Learned A.P.P. for the State assisted by advocate Mr. Narwade, strongly opposed the application and submitted that the applicant is involved in serious crime. He had transferred huge amounts to his own name, in the names of his wife and relatives from time to time. The gold which he purchased is also seized. If the applicant is released on bail,

he will certainly pressurize the prosecution witnesses and tamper with the evidence. He is booked for a serious offences punishable with life imprisonment, as he is an employee of the informant. Though his wife has been released on bail, she was granted bail only on the ground that she is a woman. It is lastly prayed to reject the application.

5. Perused the charge sheet, more particularly the report and the statements of witnesses. The applicant has misused his power and duped the informant's firm for an amount of Rs.1,26,13,327.00. His modus operandi indicates that, if released on bail, he may pressurize the prosecution witnesses and tamper with the evidence. Considering the serious nature of the crime and the clinching material against the applicant, his application deserves to be rejected. Even the learned advocate for the applicant pointed out that Civil Suits have been filed by the applicant, and criminal cases have also been filed by the informant for recovery of the amount under Section 138 of the Negotiable Instruments Act, 1881, for dishonour of cheque. However, this cannot be ground for granting bail to the informant. The application therefore, deserves to be rejected. Hence the following order:-

O R D E R

Application is rejected.

(SANJAY A. DESHMUKH, J.)