

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2176 OF 2024

Alok Sukhdev Pramanik

.. Applicant

Versus

State of Maharashtra & Anr.

.. Respondents

.....

- Ms. Kaushalya Patil i/by Ms. Pushpa Ganediwala for Applicant
- Mr. H.J. Dedhia, APP for Respondent No. 1 - State

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 2, 2025

P. C.:

1. Heard Ms. Patil, learned Advocate for Applicant and Mr. Dedhia, learned APP for Respondent No. 1 - State.

2. *Prima facie*, it appears that the Applicant acted as the interface for the company named Shree Swami Krupa Business Solution, which was a proprietary concern of the principal accused. The case of the prosecution against the Applicant in the present crime is that he had received certain amounts directly from the investors by inducing and luring them to fetch higher returns in lieu of their investments through him. *Prima facie* record shows that there are 4 investors who invested monies through the Applicant in the said Company. Though it is the prosecution case that the said investors had actually given the money for investment to the Applicant and the Applicant may have on his own accord invested the same elsewhere.

3. The first informant in the present case has come with a case that during December 2022 to January 2023 for a period of 3 months, he had invested amount of Rs. 1.2 Crore through the Applicant in the said Investment Company. It is borne out from the record that first informant was having a long standing relationship of investment with the Company since past 10 years prior to filing of the FIR and the first informant handed over the amount of Rs. 1.2 Crore to the Applicant for investment. Record which is investigated till date shows that and even according to the first informant, *prima facie*, he has received back an amount of Rs. 97 Lakhs out of the investment made by him through the Applicant. That apart according to prosecution case, there are 3 other investors who had invested monies intermittently but significantly in small denomination through the Applicant.

4. Ms. Patil would persuade me to consider that in the case of one of the remaining 3 investors, he was already returned back a sum in excess of what he had invested which is borne out from the record itself. His name is Mr. Atul Shinde. Insofar as the other 2 investors are concerned, their investment was significantly of much lesser amounts made through the Applicant.

5. The case of Applicant is that he was a driver employed by the main accused person and working for the said Company. He was asked

by the main accused to become the face of the Company and get customers for a commission which the Applicant did.

6. Mr. Dedhia, learned APP would persuade the Court to allow him to take appropriate instructions on the aforesaid submissions and precise role of Applicant in the present crime and apprise the Court accordingly. The concerned Investigating Officer shall give appropriate instructions on the precise role of Applicant so that the present Application can be considered on the next date considering that Applicant is incarcerated for 16 months and investigation is complete.

7. Stand over to **16th April, 2025**. To be shown on the **Supplementary Board**.

[MILIND N. JADHAV, J.]

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